State Law No. 02.07.2023 of 49-LAW About banks and banking activities

State Law No. 02.07.2023 of 49-LAW About banks and banking activities

Chapter I. GENERAL PROVISIONS

Article 1. Basic concepts of this State Law
A credit institution is a legal entity that, in order to make a profit as the main purpose of its business under a special permit (license) of the Central Bank of Saint Mary Liberty Island (Mark Bank), has the right to carry out banking operations provided for by this State Law. A credit institution is formed on the basis of any form of ownership as an economic company.

A bank is a credit institution that has the exclusive right to carry out the following banking operations in aggregate: raising funds from individuals and legal entities in deposits, placing these funds on its own behalf and at its own expense on the terms of repayment, payment, urgency, opening and maintaining bank accounts of individuals and legal entities.

Non-bank credit institution:

1) a credit institution that has the right to carry out exclusively banking operations specified in 1) paragraphs 3 and 1) 4 (only in the part of bank accounts of legal entities in connection with the transfer of funds without opening bank accounts), also c1) paragraph 5 (only in connection with the transfer of funds without opening bank accounts) and 1) paragraph 9 of the first part of Article 5 of this State Law (hereinafter referred to as a non-bank credit institution entitled to make money transfers without opening bank accounts and related other banking operations);

2) a credit institution entitled to carry out certain banking operations provided for by this State Law. Permissible combinations of banking operations for such non-bank credit institution shall be established by Mark Bank;

3) credit institution - the central counterparty carrying out
clearing activities. Permissible combinations of banking operations for a non-bank credit institution - a central counterparty (hereinafter referred to as the central counterparty) are established by Mark Bank.

4) Foreign bank - a bank recognized as such under the legislation of a foreign country in whose jurisdiction it is registered.

Article 2. Saint Mary Liberty Island Banking System and Banking Legal Regulation
The Saint Mary Liberty Island banking system includes Mark Bank, credit institutions, also representative offices of foreign banks.

The legal regulation of banking activities is carried out by the Constitution of Saint Mary Liberty Island, this State Law, the State Law "On the Central Bank of Saint Mary Liberty Island (Mark Bank)," other State laws, regulations of Mark Bank.

Article 3. Credit Institutions Unions and Associations
Credit institutions may establish unions and associations that do not pursue profit-making purposes to protect and represent the interests of their members, coordinate their activities, develop interregional and international relations, satisfy scientific, information and professional interests, develop recommendations for the implementation of banking activities and solve other joint tasks of credit institutions. Unions and associations of credit institutions are prohibited from performing banking operations.

Credit organization unions and associations are created and registered in accordance with the procedure established by Saint Mary Liberty Island legislation for non-profit organizations.

Unions and associations of credit institutions notify Mark Bank of their establishment within a month after registration.

Article 4. Banking Group and Bank Holding
For the purposes of this State Law, a banking group is recognized as a non-legal entity association in which one legal entity or several legal entities (hereinafter referred to as members of a banking group) are controlled or significantly influenced by one credit institution (hereinafter referred to as the parent credit institution of a banking group).

For the purposes of this State Law, a bank holding is recognized as a non-legal entity association of legal entities (hereinafter, the members of the banking holding) including at least one credit institution under the control of one legal entity that is not a credit institution (hereinafter - the parent organization of the banking holding), also (if any) other (non-credit institutions) legal entities controlled or significantly influenced by the parent organization of the banking holding or included in the banking groups of credit institutions participating in the banking holding, provided that the share of banking activities determined on the basis of the Mark Bank methodology in the activities of the banking holding is at least 40 percent. The share of banking activities in banking holding activities is defined as the ratio of assets and (or) income of credit institutions - participants of the banking holding, determined on the basis of the methodology established by Mark Bank, and the total value of assets and (or) income of the banking holding, determined taking into account assets and (or) income on the basis of accounting (financial) statements of these legal entities.

Control and significant influence for the determination of members of the banking group (banking holding) and the preparation of statements established by this State Law are determined in accordance with International Financial Reporting Standards (hereinafter referred to as IFRS) recognized in the jurisdiction of Saint Mary Liberty Island.

The parent organization of the banking holding for the organization of management of the activities of the participants of the banking holding and control over these activities has the right to create a management company of the banking holding and entrust it with the fulfillment of the duties that, in accordance with this State Law, are assigned to the parent organization of the banking holding. For the purposes of this State Law, the management company of a banking holding is recognized as an economic company, the main activities of which are the organization of management of the activities of the banking holding members and control over these activities. The parent organization of the banking holding is obliged to be able to determine the decisions of the management company of the banking holding on issues within the competence of the meeting of its founders (participants), including those related to its reorganization and liquidation. The management company of the banking holding has no right to engage in insurance, banking, production and trading activities, also carry out professional activities in the securities market, activities to manage investment funds, mutual investment funds and non-state pension funds.

The head credit organization of the banking group, the head organization of the banking holding notify Mark Bank about the formation of the banking group, the banking holding, about the creation of the management company of the banking holding and the powers granted to it. The procedure for such notification shall be established by Mark Bank.

If Mark Bank detects signs of credit or other organizations "participation in the banking group during the supervision of credit institutions, Mark Bank shall send a request to the parent credit institution of the banking group to comply with the provisions established by this State Law. If Mark Bank detects signs of their participation in the bank holding during the supervision of credit institutions, Mark Bank shall notify the parent organization of the bank holding of its failure to comply with the requirements of this State Law. The parent organization of the banking holding shall notify Mark Bank of the formation of the banking holding within a period not exceeding 30 calendar days from the date of receipt of the notification or send to Mark Bank information on the reasons for such failure.

In case of failure of the parent organization of the banking holding to comply with the requirements of this State Law and the State Law "On the Central Bank of Saint Mary Liberty Island (Mark Bank) "Mark Bank, in accordance with the procedure established by it, has the right to restrict the holding by a credit institution - by a member of a banking holding of operations with a parent organization of a banking holding, members of a banking holding for a period of up to six months, or introduce a ban on a credit institution - a member of the banking holding of certain banking operations provided for by the banking license issued to it, with the parent organization of the banking holding, members of the banking holding for a period of up to one year.

Article 5. Banking and other transactions of the credit institution
Banking transactions include:

1. raising funds of individuals and legal entities in deposits (on demand and for a certain period);
2. the placement of the funds raised in paragraph 1 of part one of this Article on its own behalf and at its own expense;
3. opening and maintaining bank accounts of individuals and legal entities;
4. making transfers of funds on behalf of individuals and legal entities, including correspondent banks, to their bank accounts;
5. cash collection, promissory notes, payment and settlement documents and cash servicing of individuals and legal entities;
6. purchase and sale of foreign currency in cash and non-cash forms;
7. attraction of precious metals into deposits and placement;
8. issuance of bank guarantees;
9. making transfers of funds without opening bank accounts, including electronic funds (excluding postal transfers).

Credit institutions open bank accounts of individual entrepreneurs and legal entities, with the exception of state authorities, on the basis of certificates of state registration of individuals as individual entrepreneurs, certificates of state registration of legal entities, also certificates of registration with the tax authority.

In addition to those listed in Part 1 of this Article, the credit institution may carry out the following transactions:

1. issuing guarantees for third parties providing for the fulfillment of obligations in cash;
2. acquisition of the right of claim from third parties to fulfill obligations in cash;
3. trust management of cash and other property under an agreement with individuals and legal entities;
4. conducting operations with precious metals and precious stones in accordance with the legislation of Saint Mary Liberty Island;
5. provision of special premises or safes for storage of documents and valuables to individuals and legal entities;
6. leasing operations;
7. provision of consulting and information services.
8. The credit institution may carry out other transactions in accordance with the legislation of Sain Mary Liberty Island.

All banking operations and other transactions are carried out in Taler, and if Mark Bank has an appropriate license, in foreign currency and Cryptocurrencies. The rules of banking operations, including the rules of their logistics, are established by Mark Bank in accordance with State laws.

It is prohibited for a credit institution to engage in production, trading and insurance activities. These restrictions do not apply to the conclusion of contracts that are derivative financial instruments and provide for either the obligation of one party to the contract to transfer the goods to the other party, or the duty of one party on the terms defined at the conclusion of the contract, in the event of a demand by the other party to buy or sell the goods, if the supply obligation is terminated without being fulfilled in kind, also for the conclusion of contracts in order to perform the functions of a central counterparty and a commodity supply operator.
These restrictions also do not apply to the sale of property acquired by credit institutions in order to ensure their activities, and to the sale of property sold by a credit institution in the event of foreclosure on the subject of collateral due to non-fulfillment by the debtor of the obligation secured by the pledge of property, or received by the credit institution under the agreement as compensation.

Money transfers without opening bank accounts, with the exception of electronic money transfers, are carried out on behalf of individuals.

Article 6. Activities of a credit institution in the securities market
In accordance with Mark Bank's banking license, the Bank is entitled to issue, purchase, sale, accounting, storage and other transactions with securities, performing the functions of a payment document, with securities confirming the attraction of funds to deposits and bank accounts, with other securities, transactions with which do not require obtaining a special license in accordance with State laws, also the right to exercise trust management of these securities under an agreement with individuals and legal entities.

The credit institution has the right to carry out professional activities in the securities market in accordance with State laws.

Article 7. Corporate name of the credit institution
The credit institution shall have a full corporate name and shall be entitled to have an abbreviated corporate name in English. The credit institution may also have a full corporate name and/or abbreviated corporate name in the languages of the peoples of Saint Mary Liberty Island and (or) foreign languages.

The corporate name of the credit institution in the English language and languages of the peoples of Saint Mary Liberty Island may contain foreign-language borrowings in the English transcription or in transcriptions of the languages of the peoples of Saint Mary Liberty Island, with the exception of terms and abbreviations reflecting the organizational and legal form of the credit institution.

The corporate name of a credit institution should contain an indication of the nature of its activities by using the words "bank" or "non-bank credit institution."

Mark Bank, when considering an application for state registration of a credit institution, is obliged to prohibit the use of the corporate name of a credit institution, if the alleged corporate name is already contained in the Book of State Registration of Credit Institutions. The use of the words "SMLI," "Saint Mary Liberty Isalnd," "state," and "central" in the corporate name of the credit institution, also words and phrases formed on their basis, is allowed in accordance with the procedure established by State laws.

No legal entity in Saint Mary Liberty Island, other than a legal entity licensed by Mark Bank to conduct banking operations, may use the words "bank," "credit institution" in its corporate name or otherwise indicate that the legal entity is entitled to conduct banking operations.

Article 8. Disclosure of information on the management bodies of a credit institution and on the activities of a credit institution, a banking group and a banking holding
The credit institution shall disclose the following information on its activities in the forms, in the manner and terms established by Mark Bank:

annual accounting (financial) statements and audit report on it, information on risks taken, procedures for their assessment, risk and capital management;

quarterly - interim accounting (financial) statements, information on risks taken, procedures for their assessment, risk and capital management. If the interim accounting (financial) statements were audited, the said statements are disclosed together with the audit report of the audit organization.

The credit institution is obliged at the request of an individual or legal entity to provide it with a copy of the banking license, copies of other permits (licenses) issued to it, if the need to obtain these documents is provided for by the State Laws, also accounting (financial) statements for the current year.

For misleading an individual or a legal entity by

failure to provide information or by providing false or incomplete information, the credit institution shall be liable in accordance with this State Law and other State Laws.

The parent credit institution of the banking group discloses:

1) annually - annual consolidated financial statements and audit report on it, information on accepted risks, procedures for their assessment, risk and capital management;

2) quarterly - interim consolidated financial statements, information on accepted risks, procedures for their assessment, risk and capital management. If the interim consolidated financial statements were audited, the said statements are disclosed together with the audit report of the audit organization.

Forms, procedure and terms of disclosure by the parent credit institution of the banking group of information on the risks taken, procedures for their assessment, risk and capital management shall be determined by Mark Bank. The procedure and timing of the disclosure by the parent credit institution of the banking group of the consolidated financial statements and the audit report thereon shall be determined by Mark Bank.

The parent organization of the banking holding is obliged to annually disclose the consolidated financial statements and the audit report thereon. The procedure and timing of the disclosure of the consolidated financial statements and the audit report thereon by the parent organization of the banking holding shall be determined by Mark Bank.

A credit institution licensed by Mark Bank to raise funds from individuals is obliged to disclose information on interest rates under bank deposit agreements with individuals (as a whole for a credit institution without disclosing information on individual individuals) and information on the credit institution's debt on deposits of individuals. The procedure for disclosure of such information is established by Mark Bank.

The credit institution is obliged to disclose information on transactions on assignment to mortgage agents or specialized companies of monetary claims, including those certified by mortgages. The composition of such information, the procedure and terms for its disclosure are established by regulatory acts of Mark Bank.

The credit institution is obliged to disclose the following information on the qualifications and experience of members of the Board of Directors to an unlimited number of persons on its official website in the information and telecommunication network "Internet" in accordance with the procedure established by regulatory acts of Mark Bank (Supervisory Board) of a credit institution, persons holding the positions of the sole executive body, its deputies, members of the collegial executive body, chief accountant, deputy chief accountant of a credit institution, also the head and chief accountant of a branch of a credit institution:

1. last name, first name;
2. name of the position held (indicating the dates of approval by Mark Bank and appointment to the position - for persons holding the positions of the sole executive body, its deputies, members of the collegial executive body of a credit institution, chief accountant, deputy chief accountant of a credit institution, also the head, chief accountant of a branch of a credit institution, election dates - for members of the board of directors (supervisory board) of a credit institution);
3. information on vocational education (indicating the name of the educational organization, the year of its graduation, qualification, specialty and (or) direction of training), on additional vocational education indicating the mastered program and the date of its development, also information on the academic degree and the date of its award, on the academic rank and the date of its assignment;
4. information on labor activity for five years preceding the date of appointment (election) to a position, indicating places of work and positions held (including membership in the board of directors (supervisory board) of a legal entity), dates of appointment (election) and dismissal (dismissal), description of official duties.

If a credit institution fails to provide information to the credit institution by a member of the Board of Directors (Supervisory Board) of the credit institution that is part of the information provided for in this Article, the credit institution shall disclose the information on failure to provide such information by the specified person in the same manner.

If, after disclosure of the information, the information included in its composition is changed, information about this should be disclosed in the same order within a period not exceeding three days following the day of receipt of its documentary confirmation.

A credit institution and officials of a credit institution in case of violation of the procedure and deadlines for disclosure of information provided for in Part Nine of this Article shall be liable as established by the legislation of Saint Mary Liberty Island.

The credit institution, the parent credit institution of the banking group are obliged to disclose to an unlimited number of persons on their official websites in the information and telecommunication network "Internet" in the manner and terms established by Mark Bank information on financial instruments included in the calculation of own funds (capital) of a credit institution, banking group, including all conditions and terms of their issue, repayment, conversion, other transactions with them, and significant changes in these instruments.

Article 9. Relationship between the credit institution and the state
The credit institution is not responsible for the obligations of the state. The state is not responsible for the obligations of the credit institution, unless the state itself has assumed such obligations.

The credit institution is not liable for the obligations of Mark Bank. Mark Bank is not liable for the obligations of the credit institution, unless Mark Bank has assumed such obligations.

The legislative and executive authorities shall not be entitled to interfere in the activities of credit institutions, except for cases stipulated by State laws.

A credit institution on the basis of a state contract for the provision of services for state needs can carry out separate instructions of the Government of Saint Mary Liberty Island, the executive authorities of Saint Mary Liberty Island, carry out operations with funds from the State Budget, the budgets of Saint Mary Liberty Island entities and settlements with them, and ensure the targeted use of budget funds allocated for the implementation of State and International programs. Such a contract should contain mutual obligations of the parties and provide for their responsibility, conditions and forms of control over the use of budgetary funds.

A credit institution may not be obliged to carry out activities not provided for by its constituent documents, except for cases when the credit institution has assumed the relevant obligations, or cases provided for by State laws.

The credit institution and officials of credit institution take responsibility for violation of requirements of the present article in the order established by the legislation of Saint Mary Liberty Island.

Article 10. Constituent documents of credit institution
The credit institution has the constituent documents provided by the State laws for the legal entity of the corresponding organizational legal form.

The charter of credit institution has to contain:

1. trade name;
2. instruction on legal form;
3. data on the address (location) of governing bodies and separate divisions;
4. the list of the carried-out banking operations and transactions in compliance so1) Article 5 of the present State law;
5. data on the amount of authorized capital;
6. data on the system of governing bodies, including executive bodies, and bodies of internal control, on an order of their education and on their powers;
7. other data provided by the State laws for charters of legal entities of the specified legal form.

The credit institution is obliged to register all changes made to her constituent documents.
The documents provided by regulations Mark Bank are presented by credit institution to Mark Bank in the order established to them. Mark Bank from the date of submission of all properly processed documents makes in a month the decision on the state registration of the changes made to constituent documents of credit institution and sends to authorized Public authority of executive power (further - authorized registering body) the data and documents necessary for implementation of functions by this body for maintaining the Unified State Register of Legal Entities.

On the basis of the specified decision made Mark Bank and the necessary data and documents submitted by him authorized registering body in time no more than five working days from the date of obtaining necessary data and documents include the corresponding record in the Unified State Register of Legal Entities and no later than the working day following behind day of introduction of the corresponding record reports about it in Mark Bank. Interaction Mark Bank with authorized registering body concerning the state registration of the changes made to constituent documents of credit institution is carried out in the order coordinated Mark Bank with authorized registering body.

Article 11. Authorized capital of credit institution

Authorized capital of credit institution is formed from the size of deposits of its participants and determines the minimum size of the property guaranteeing the interests of her creditors.

The minimum amount of authorized capital of again registered bank on the date of submission of the petition for the state registration and licensing for banking operations is established in the sum of 300 million Talers. The minimum amount of authorized capital of again registered non-bank credit institution, except for the minimum amount of authorized capital of again registered central contractor, on the date of submission of the petition for the state registration and licensing for banking operations is established in the sum of 90 million Talers. The minimum amount of authorized capital of again registered central contractor on the date of submission of the petition for the state registration and licensing for banking operations is established in the sum of 300 million Talers.

Mark Bank establishes the extreme size of property (non-monetary) deposits to authorized capital of credit institution and also the list of types of property in a non-monetary form which can be brought in payment of authorized capital.

Borrowed funds can't be used for formation of authorized capital of credit institution. Payment of authorized capital of credit institution at increase in her authorized capital by offset of requirements to credit institution isn't allowed, except for monetary requirements about payment of the announced dividends in cash. Mark Bank has the right to establish an order and criteria for evaluation of a financial position of founders (participants) of credit institution.

Means of the Government budget and state non-budgetary funds, the free funds and other objects of property which are under authority of Public authorities of the government can't be used for formation of authorized capital of credit institution, except for the cases provided by the State laws.

Means of budgets of subjects of Saint Mary Liberty Island, the free funds and other objects of property which are under authority of public authorities of subjects of Saint Mary Liberty Island can be used for formation of authorized capital of credit institution on the basis of respectively act of the subject of Saint Mary Liberty Island or the decision of local government in the order provided by the present State law and other State laws.

If other isn't established by the State laws, acquisition (except for a case if shares (shares) are acquired at establishment of credit institution) and (or) receiving in trust management (further - acquisition) as a result of implementation of one transaction or several transactions by one legal or natural person more than one percent of shares (shares) of credit institution Mark Bank, and more than 10 percent - prior consent Mark Bank require the notification.

Receiving prior consent Mark Bank in the order established by the present article is required also in case of acquisition:

1. more than 10 percent of shares, but no more than 25 percent of shares of credit institution;
2. more than 10 percent of shares, but no more than one third of shares of credit institution;
3. more than 25 percent of shares of credit institution, but no more than 50 percent of shares;
4. more than one third of shares of credit institution, but no more than 50 percent of shares;
5. more than 50 percent of shares of credit institution, but no more than 75 percent of shares;
6. more than 50 percent of shares of credit institution, but no more than two thirds of shares;
7. more than 75 percent of shares of credit institution;
8. more than two thirds of shares of credit institution.

Prior consent Mark Bank demands also establishment by the legal or natural person as a result of implementation of one transaction or several transactions direct or indirect (through the third parties) control concerning shareholders (participants) of credit institution owning more than 10 percent of shares (share) of credit institution (further - establishment of control concerning shareholders (participants) of credit institution).

The requirements established by the present article extend also to acquisition cases more than one percent of shares (shares) of credit institution, more than 10 percent of shares (shares) of credit institution and (or) in case of establishment of control concerning shareholders (participants) of credit institution by the group of persons recognized that.

Mark Bank is 30 days from the date of obtaining the petition for consent Mark Bank on transaction (transactions), the credit institution directed to acquisition more than 10 percent of shares (shares) and (or) on establishment of control concerning shareholders (participants) of credit institution not later, reports to the applicant in writing about the decision - about consent or on refusal. In case Mark Bank didn't report about the made decision during the specified term, the corresponding transaction (transactions) is considered coordinated.

The notice of acquisition more than one percent of shares (shares) of credit institution is sent to Mark Bank no later than 30 days from the date of this acquisition.

Consent Mark Bank on transaction (transactions), the credit institution directed to acquisition more than 10 percent of shares (shares) and (or) on establishment of control concerning shareholders (participants) of credit institution, can be received after transaction (further - the subsequent consent) in case acquisition of stocks of credit institution and (or) establishment of control concerning shareholders (participants) of credit institution are carried out at public placement of shares and also in other cases established by the present State law. The possibility of receiving the subsequent consent provided by the real part extends also to acquisition more than 10 percent of shares of credit institution at public placement of shares and (or) to establishment of control concerning shareholders (participants) of credit institution by the group of persons recognized that.

Order of receiving prior consent and the subsequent consent Mark Bank on transaction (transactions), the credit institution directed to acquisition more than 10 percent of shares (shares) and (or) on establishment of control concerning shareholders (participants) of credit institution, and a notification procedure Mark Bank about acquisition more than one percent of shares (shares) of credit institution are established by the State laws and regulations adopted according to them Mark Bank.

Mark Bank has the right to refuse the consent on transaction (transactions) directed (directed) on acquisition more than 10 percent of shares (shares) of credit institution and (or) to establishment of control concerning shareholders (participants) of credit institution in a case:

1. establishments of an unsatisfactory financial position of the person making the transaction (transactions) directed (directed) on acquisition more than 10 percent of shares (shares) of credit institution and (or) to establishment of control concerning shareholders (participants) of credit institution;
2. lack of the positive decision of competition authority on the petition for consent on implementation of the transaction if the transaction directed to acquisition more than 10 percent of shares (shares) of credit institution and (or) to establishment of control concerning shareholders (participants) of credit institution is subject to control according to the antitrust law;
3. lack of the decision on prior approval of the transaction or about establishment coordination if the transaction directed to acquisition more than 10 percent of shares (shares) of credit institution and (or) to establishment of control concerning shareholders (participants) of credit institution is subject to control according to the specified State law;
4. unsatisfactory business reputation of the person making the transaction directed to acquisition more than 10 percent of shares (shares) of credit institution and (or) to establishment of control concerning shareholders (participants) of credit institution according to the bases established by Article 16 of the present State law concerning founders (participants) of credit institution, the getting more than 10 percent of shares (shares) of credit institution. At the same time the terms established by paragraphs to the third - the fifth, the eighth, eleventh and twelfth Paragraph 5 of part one of Article 16 of the present State law, are estimated in relation to day of giving in Mark Bank of the petition for the consent on transaction directed to acquisition more than 10 percent of shares (shares) of credit institution and (or) to establishment of control concerning shareholders (participants) of credit institution;
5. existence of other bases provided by the State laws and regulations adopted according to them Mark Bank.
6. Mark Bank refuses the consent on transaction (transactions) directed to acquisition more than 10 percent of shares (shares) of credit institution and (or) to establishment of control concerning shareholders (participants) of credit institution if earlier the court ascertained guilt of the person making the transaction directed to acquisition more than 10 percent of shares (shares) of credit institution and (or) to establishment of control concerning shareholders (participants) of credit institution in causing losses of any credit institution at execution of duties by him the board member (supervisory board) of credit institution, sole executive body, his deputy and (or) the member of collegiate executive body (board, directorate).

Article 11.1. Governing bodies of credit institution

Governing bodies of credit institution along with a general meeting of her founders (participants) are the board of directors (supervisory board), sole executive body and collegiate executive body.

The current management of activity of credit institution is performed of her sole executive body and collegiate executive body.

Sole executive body, his deputies, members of collegiate executive body (further - the head of credit institution), the chief accountant, deputy chief accountants of credit institution, the head, the chief accountant of branch of credit institution have no right to hold positions of the head, the chief accountant in other organizations which are the credit, insurance or clearing institutions, professional participants of securities market, organizers of trade in the commodity and (or) financial markets and also in joint-stock investment funds, specialized depositaries of the investment funds, the non-state pension funds, the organizations which are carrying out activities for provision of pensions and pension insurance, for management of investment funds, joint-stock investment funds, mutual investment funds and the non-state pension funds, the organizations which are engaged in leasing activity or being affiliates in relation to credit institution and to carry out business activity without formation of legal entity. In case credit institutions are on the relation to each other the main and affiliated economic societies, the sole executive body of affiliated credit institution has the right to hold positions in collegiate executive body of credit institution - the main society, except for a position of the chairman of this body.

Board members (supervisory board) of credit institution and candidates for the specified positions have to conform to the requirements to business reputation established by Article 16 of the present State law and also the requirements to qualification established according to the State laws.

In case concerning the board member (supervisory board) of credit institution the conviction of court for commission of deliberate crime took legal effect or the judgment on purpose of administrative punishment in the form of disqualification came into force, the specified board member (supervisory board) is considered left the structure of the board of directors (supervisory board) from the date of entry into force of the relevant decision of court.

The persons specified regarding the third present article at coordination of their candidates with Mark Bank, appointment (election) to a position and also during the entire period of implementation of functions on the specified positions, including temporary execution of functions, have to conform to the requirements to qualification and business reputation established by Article 16 of the present State law.

For receiving consent Mark Bank the credit institution is obliged to send to Mark Bank the petition for coordination of candidates for the positions specified in a part of the sixth present article and to submit the data and documents provided by Paragraph 8 of part one of Article 14 of the present State law. Mark Bank from the date of obtaining the specified documents agrees in a month to appointment (election) or represents motivated refusal in writing on the bases provided by Article 16 of the present State law. At the same time the terms established by paragraphs to the fifth, eighth - the eleventh, fifteenth and sixteenth point of 1 part one of Article 16 of the present State law, are estimated in relation to day of obtaining the specified documents Mark Bank. Refusal Mark Bank in consent to appointment (election) of the candidate can be appealed by him in court.

The credit institution is obliged to notify in writing Mark Bank on release from positions of the persons specified in a part of the sixth present article no later than the working day following behind day of adoption of such decision.

The credit institution is obliged to notify in writing Mark Bank on election (release) of the board member (supervisory board) in three-day time from the date of adoption of such decision.

The credit institution according to the order established by parts of the sixth - the eighth present article, can assign the separate duties of the persons specified regarding the third present article providing the right of the order in the cash which is on the accounts of credit institution opened in Mark Bank on the persons holding other positions in credit institution and conforming to the requirements to qualification and business reputation established by Article 16 of the present State law.

Article 11.1-1. Features of competence and organization of activity of the board of directors (supervisory board) of credit institution

Questions belong to competence of the board of directors (supervisory board) of the credit institution determined by her charter:

1. the adoption of strategy of risk management and the capital of credit institution, including regarding ensuring sufficiency of own means (capital) and liquidity on a covering of risks as in general on credit institution, and in the separate directions her activity and also the statement of an order of management of the risks, most significant for credit institution, and control of realization of the specified order;
2. statement of an order of application of bank techniques of risk management and models of quantitative risk assessment (in a case, predusmotrennom2. Article 72.1 Gosudarstvennogo2. the law "About the Central Bank of Saint Mary Liberty Island (Mark Bank)"), including assessment of assets and obligations, off-balance requirements and obligations of credit institution and also scenarios and results of stress testing;
3. the statement of an order of conflict prevention of interests, the plan of restoration of financial stability in case of the significant deterioration in a financial condition of credit institution, the action plan aimed at providing continuity of activity and (or) restoration of activity of credit institution in case of unusual and emergency situations, the statement of the head of service of internal audit of credit institution, the plan of work of service of internal audit of credit institution, the statement of policy of credit institution in the field of compensation and control of her realization;
4. evaluating on the basis of reports of service of internal audit of observance by sole executive body of credit institution and collegiate executive body of the strategy and orders approved by the board of directors (supervisory board);
5. making decisions on duties of board members (supervisory board), including education in its structure of committees and also evaluating own work and representation of her results to a general meeting of participants of credit institution;
6. the approval of the personnel policy of credit institution (procedure for determining the sizes of salaries of heads of credit institution, procedure for determining the size, forms and charges of the compensatory and stimulating payments to heads of credit institution, to the head of service of risk management, the head of service of internal audit, the head of internal control of credit institution and other heads (workers) making decisions on implementation by credit institution of operations and other transactions which results can influence observance of obligatory standards by credit institution or emergence of other situations menacing to the interests of investors and creditors including the bases for implementation of measures for prevention of insolvency (bankruptcy) of credit institution, qualification requirements to the said persons and also the amount of wage fund of credit institution).

Article 11.1-2. Requirements to risk management systems and capital, internal control of credit institution

The credit institution (parent credit institution of banking group) is obliged to observe the requirements to risk management systems established Mark Bank and the capital, internal control, including requirements to activity of the head of internal control and the head of service of internal audit of credit institution, in banking groups.

The person at appointment to the post of the head of service of risk management, the head of service of internal audit or the head of internal control of credit institution and during the entire period of implementation of functions on the specified positions has to conform to the qualification requirements and requirements to business reputation established by Article 16 of the present State law established Mark Bank.

The credit institution is obliged to notify in writing Mark Bank on appointment to the post of the head of service of risk management, the head of service of internal audit, the head of internal control of credit institution in three-day time from the date of adoption of the relevant decision.

The credit institution is obliged to notify in writing Mark Bank on dismissal of the head of service of risk management, the head of service of internal audit, the head of internal control of credit institution no later than the working day following behind day of adoption of the relevant decision.

Article 11.2. Minimum size of own means (capital) of credit institution

The minimum size of own means (capital) is established for bank in the sum of 300 million Talers, except for the cases provided by parts of the fourth - the seventh present article.

The size of own means (capital) of the non-bank credit institution petitioning for obtaining the status of bank on the 1st day of the month in which the corresponding petition was submitted to Mark Bank has to be not less than 300 million Talers.

The license for banking operations granting to credit institution the right to carry out banking operations with means in Talers and foreign currency, to raise in deposits funds of natural and legal entities in Talers and foreign currency (further - the general license) can be issued to the credit institution having own means (capital) not less than 900 million Talers as of the 1st day of the month in which the petition for obtaining the general license was submitted to Mark Bank.

The size of own means (capital) of the bank meeting the requirements established by a part of the fourth present article since January 1, 2024 has to be not less than 90 million Talers.

The size of own means (capital) of the bank meeting the requirements established by parts of the fourth and fifth present article and also the bank created after January 1, 2024 has to be not less than 180 million Talers.

The size of own means (capital) of the bank meeting the requirements established by parts of the fourth - the sixth present article and also the bank created after January 1, 2024 has to be not less than 300 million Talers.

At decrease in the size of own means (capital) in bank owing to change Mark Bank of a method for determining the size of own means (capital) bank the bank which had for January 1, 2024 own means (capital) of 180 million Talers and more and also the bank created after January 1, 2024 within 12 months have to reach the size of own means (capital) of 180 million Talers, and since January 1, 2025 - 300 million Talers, calculated on the new method for determining the size of own means (capital) bank defined Mark Bank, and the bank which had for January 1, 2024 own means (capital) of less than 180 million Talers - bigger of two sizes: the size of own means (capital) which were available for him for January 1, 2024 calculated on the new method for determining the size of own means (capital) bank defined Mark Bank or the size of own means (capital) established by parts a heel - the seventh the present article, for the corresponding date.

The minimum size of own means (capital) is established for non-bank credit institution in the sum of 90 million Talers, except for the case provided by a part of the tenth present article.

The non-bank credit institution which had for July 1, 2024 own means (capital) in the sum less than 90 million Talers, having the right to continue the activity under a condition if the size of her own means (capital) doesn't decrease in comparison with level, reached on July 1, 2023.

The size of own means (capital) of the non-bank credit institution answering to the condition established by a part of the tenth present article since July 1, 2024 has to be not less than 90 million Talers.

At decrease in the size of own means (capital) in non-bank credit institution it is lower than the level, specified regarding the ninth or tenth present article, owing to change Mark Bank of a method for determining the size of own means (capital):

1. the non-bank credit institution which had for July 1, 2024 own means (capital) of 90 million Talers and more or the non-bank credit institution created after July 1, 2024 within 12 months has to reach the size of own means (capital) of 90 million Talers calculated on the new method for determining the size of own means (capital) defined Mark Bank;
2. the non-bank credit institution which had for July 1, 2024 own means (capital) of less than 90 million Talers within 12 months has to reach calculated on the new method for determining the size of own means (capital) defined Mark Bank the size of own means (capital) at a rate of own means (capital) which were available for her for July 1, 2024, and since July 1, 2025 - the size of own means (capital) of 90 million Talers.

The minimum size of own means (capital) is established for the central contractor in the sum of 300 million Talers.

Article 11.3. Elimination of the violations allowed at acquisition and (or) receiving in trust management of actions (shares) of credit institution

At detection Mark Bank of violation by the purchaser of actions (shares) of credit institution or the person who established control concerning shareholders (participants) of credit institution, requirements of the present State law and the regulations adopted according to him Mark Bank about receiving prior consent or the subsequent consent Mark Bank on transaction (transactions), the credit institution directed to acquisition more than 10 percent of shares (shares) and (or) on establishment of control concerning shareholders (participants) of credit institution, Mark Bank makes the instruction about elimination by this person of such violation.

The instruction Mark Bank about elimination of violation is sent Mark Bank no later than 30 days from the date of detection of such violation to the following persons:

1. the person who made the transaction (transactions) directed to acquisition more than 10 percent of shares (shares) of credit institution with violation;
2. the person who established control concerning the shareholder (participant) of credit institution with violation.

Copies of the instruction Mark Bank specified in a part of the second present article are sent to credit institution which shares (shares) are acquired with violation and (or) control concerning shareholders (participants) of which is established with violation, and to the shareholder (participant) of credit institution concerning whom control is established with violation.

The instruction Mark Bank about elimination of the corresponding violation is subject to execution by the purchaser of actions (shares) of credit institution or the person who established control concerning shareholders (participants) of credit institution, allowed violation, in time no more than 90 days from the date of obtaining such act one of the following ways:

receiving from Mark Bank of the subsequent consent to acquisition of stocks (shares) of credit institution and (or) establishment of control concerning shareholders (participants) of credit institution who are carried out with violation in the order established by the statutory act Mark Bank;

transaction (transactions), the credit institution (termination of trust management of stocks (shares) of credit institution) directed to alienation of shares (shares) which are acquired with violation and (or) on the termination of the control concerning shareholders (participants) of credit institution established with violation.

The person which executed the instruction Mark Bank about elimination of violation by transactions, specified in point the second a part of the fourth present article, no later than five days from the date of execution of the instruction is obliged to notify on it credit institution and Mark Bank in the order established Mark Bank.

The instruction form Mark Bank about elimination of violation is established by the statutory act Mark Bank.

From the date of obtaining the instruction Mark Bank about elimination of violation by credit institution which shares (shares) are acquired and (or) control concerning shareholders (participants) of which is established with violation, and about day of execution or cancellation of the specified instruction the purchaser of actions (shares) of credit institution who allowed violation and (or) the shareholder (participant) of credit institution concerning whom control is established with violation, have the right to vote only on stocks (shares) of credit institution which don't exceed 10 percent of shares (shares) of credit institution (threshold values which exceed 10 percent and concerning which separate prior consent or the subsequent consent wasn't received if need of receiving such consent is provided by the present State law and regulations Mark Bank). Other shares (shares) of credit institution acquired with violation and (or) belonging to the shareholder (participant) of credit institution concerning whom control is established with violation, voting aren't and aren't considered when determining quorum of general shareholder meeting (participants) of credit institution.

Mark Bank has the right to appeal in court against the decisions of general shareholder meeting (participants) of credit institution made with violation of the requirements established by a part of the seventh present article and the transactions made in pursuance of the specified decisions in case participation in vote by shares (shares) acquired with violation or participation in vote of shareholders (participants) of credit institution concerning whom control is established with violation influenced the decisions made by general meeting of shareholders (participants) of credit institution.

In case of non-execution at the scheduled time by the purchaser of actions (shares) of credit institution and (or) the person who established control concerning shareholders (participants) of credit institution, the instruction Mark Bank about elimination of violation of Mark Bank has the right to submit a claim for recognition of the invalid transaction (transactions) directed to acquisition more than 10 percent of shares (shares) of credit institution and (or) to establishment of control concerning shareholders (participants) of credit institution and also the subsequent transactions of the said persons directed to acquisition of stocks (shares) of this credit institution and (or) to establishment of control concerning shareholders (participants) of this credit institution.

Chapter II. Order of registration of credit institutions and licensing of banking operations

Article 12. State registration of credit institutions and issue to them of licenses for banking operations
Credit institutions are subject state taking into account the special order of the state registration of credit institutions established by the present State law.

The decision on the state registration of credit institution is made Mark Bank. Entering into the Unified State Register of Legal Entities of data on creation, reorganization and liquidation of credit institutions and also provided by the State laws of other data is carried out by authorized registering body on the basis of the decision Mark Bank about the corresponding state registration. Interaction Mark Bank with authorized registering body concerning the state registration of credit institutions is carried out in the order coordinated Mark Bank with authorized registering body.

Mark Bank for implementation of control and supervising functions by it keeps the Book of the state registration of credit institutions in the order established by the State laws and regulations adopted according to them Mark Bank.

For the state registration of credit institutions the state fee in an order and in sizes which are established by the legislation of Saint Mary Liberty Island is collected.

The credit institution is obliged to inform Mark Bank on change of data on registration, except for data on the obtained licenses, within three days from the moment of such changes. Mark Bank no later than one working day from the date of receipt of the relevant information from credit institution reports about it in authorized registering body which makes record about change of data on credit institution in the Unified State Register of Legal Entities.

The license for banking operations of credit institution is granted after her state registration in the order established by the present State law and regulations adopted according to him Mark Bank.

The credit institution has the right to carry out banking operations from the moment of obtaining the license granted Mark Bank.

Article 13. Licensing of banking operations
Banking operations are made only on the basis of the license granted Mark Bank in the order established by the present State law except for the cases specified in parts of the ninth and tenth present article.

The licenses granted Mark Bank are considered in the register of the granted licenses for banking operations.

The register of the licenses granted to credit institutions is subject for publication Mark Bank in the official publication Mark Bank ("the Messenger Mark Bank") at least once a year. Changes and additions in the specified register are published Mark Bank from the date of their entering into the register in a month.

Banking operations to which implementation this credit institution has the right and also currency in which these banking operations can be carried out are specified in the license for banking operations.

The license for banking operations is granted without restriction of terms of her action.

Implementation of banking operations by the legal entity without license if obtaining such license is obligatory, involves collecting from such legal entity of all sum received as a result of implementation of these operations and also recovery of penalty in a double size of this sum in the Government budget. Collecting is made in court in the claim of the prosecutor, the appropriate Public authority of executive power authorized on that by the State law or Mark Bank.

Mark Bank has the right to file a lawsuit for liquidation of the legal entity which is carrying out banking operations without license in arbitration court if obtaining such license is obligatory.

The citizens who are illegally carrying out banking operations bear civil, administrative or criminal liability in the order established by the law.

Article 14. Documents necessary for the state registration of credit institution and obtaining license for banking operations

For the state registration of credit institution and obtaining the license for banking operations the following documents are submitted to Mark Bank in the order established to them:

1. statement with the petition for the state registration of credit institution and licensing for banking operations; data on the address (location) of permanent executive body of credit institution according to which communication with credit institution is carried out are also specified in the statement;
2. the foundation agreement (the original or notarially certified copy) if his signing is provided by the State law;
3. the charter (the original or notarially certified copy);
4. the business plan approved by a meeting of founders (participants) of credit institution, the minutes of a meeting of founders (participants) containing decisions on the adoption of the charter of credit institution and also candidates for appointment to positions of the head of credit institution and the chief accountant of credit institution. The order of drawing up the business plan of credit institution and criteria of his assessment are established by regulations Mark Bank;
5. documents on payment of the state fee for the state registration of credit institution and for providing the license for banking operations during creation of credit institution;
6. audit reports about accounting (financial) records of founders - legal entities;
7. the documents (according to the list established by regulations Mark Bank) confirming sources of origin of funds deposited by founders - natural persons in authorized capital of credit institution;
8. questionnaires of candidates for positions of the head of credit institution, chief accountant, deputy chief accountants of credit institution, head, chief accountant of branch of credit institution. The specified questionnaires are filled in by these candidates with own hand and have to contain the data established by regulations Mark Bank and also data:
9. presence at these persons of the higher legal or economic education (with submission of the copy of the document on education and about qualification) and experience of the management of the department or other division of credit institution connected with banking operations, not less than one year, and in the absence of vocational education - experience of the management of such division not less than two years;
10. existence (about absence) criminal records (with submission of the original of the certificate of existence (about absence) the criminal record given by the Ministry of Internal Affairs of Saint Mary Liberty Island);
11. questionnaires of candidates for positions of sole executive body and the chief accountant of the non-bank credit institution having the right for implementation of money transfers without opening of bank accounts and the related other banking operations. The specified questionnaires are filled in by these candidates
12. with own hand also have to contain the data established by regulations Mark Bank and also data:
13. presence at these persons of the higher education (with submission of the copy of the document on education and about qualification);
14. existence (about absence) criminal records (with submission of the original of the certificate of existence (about absence) the criminal record given by the Ministry of Internal Affairs of Saint Mary Liberty Island);
15. documents (according to the list established by regulations Mark Bank), necessary for assessment of business reputation of founders (participants) of credit institutions, candidates for board members (supervisory board) of credit institution, the person which is carrying out functions of sole executive body of the legal entity - the founder (participant) of credit institution getting more than 10 percent of shares (shares) of credit institution.

Besides the documents specified in part one of the present article, the Central bank of Saint Mary Liberty Island independently requests in the Public authority of executive power which is carrying out the state registration of legal entities, natural persons as individual entrepreneurs and peasant farms, data on the state registration of the legal entities which are founders of credit institution, and in tax authority requests data on performance by founders - legal entities of obligations to the Government budget, budgets of subjects of Saint Mary Liberty Island and local budgets for the last three years. The credit institution has the right to submit the documents containing the specified data, on own initiative.

Provisions of Paragraph 8 of part one of the present article don't extend to a case of submission of documents for the state registration of the non-bank credit institution having the right for implementation of money transfers without opening of bank accounts and the related other banking operations, and obtaining by her the license for banking operations.

Article 15. Order of the state registration of credit institution and licensing for banking operations
At submission of the documents listed in Article 14 of the present State law, Mark Bank gives to founders of credit institution written assurance of receipt from them of the documents necessary for the state registration of credit institution and obtaining the license for banking operations.

Making decision on the state registration of credit institution and licensing for banking operations or on refusal in it is made in time, not exceeding six months from the date of submission of all documents provided by the present State law, and adoption of such decision concerning the non-bank credit institution having the right for implementation of money transfers without opening of bank accounts and the related other banking operations, in time, not exceeding three months.

Mark Bank after making decision on the state registration of credit institution sends to the authorized registering body of data and documents necessary for implementation of functions by this body for maintaining the Unified State Register of Legal Entities.

On the basis of the specified decision made Mark Bank and the necessary data and documents submitted by him authorized registering body in time no more than five working days from the date of obtaining necessary data and documents include the corresponding record in the Unified State Register of Legal Entities and no later than the working day following behind day of introduction of the corresponding record reports about it in Mark Bank.

Mark Bank no later than three working days from the date of receiving from authorized registering body of information on the record about credit institution made in the Unified State Register of Legal Entities notifies about it her founders with the requirement to make in a month payment of 100 percent of the announced authorized capital of credit institution and issues to founders the document confirming the fact of entering of record about credit institution into the Unified State Register of Legal Entities.

The non-payment or incomplete payment of authorized capital is at the scheduled time the basis for the address Mark Bank in court with the requirement about liquidation of credit institution.

For payment of authorized capital Mark Bank opens to the registered jar, and if necessary - and non-bank credit institution the correspondent account in Mark Bank. Details of the correspondent account are specified in the notice Mark Bank about the state registration of credit institution and licensing for banking operations.

At production of documents confirming payment of 100 percent of the announced authorized capital of credit institution, Mark Bank in three-day time grants credit institution the license for banking operations.

Article 16. The bases for refusal in the state registration of credit institution and issue to her of the license for banking operations
The refusal in the state registration of credit institution and issue of the license for banking operations to it is allowed only on the following bases:

1) discrepancy of the candidate offered to a position of the head of credit institution, the chief accountant of credit institution or his deputy (further also - the candidate) to qualification requirements and requirements to business reputation.

The discrepancy of the candidate with qualification requirements is understood as absence at the candidate of the higher legal or economic education and experience of the management of department or other division of credit institution whose activity is connected with banking operations, not less than one year, and in the presence the candidate of other higher education has not less than two years (the candidate for a position of sole executive body or the chief accountant of the non-bank credit institution having the right for implementation of money transfers without opening of bank accounts and the related other banking operations - absence at him the higher education).

Are understood as discrepancy of the candidate with requirements to business reputation:

presence at the candidate of not removed or unspent conviction for commission of deliberate crimes;

recognition by court within five years preceding day of giving in Mark Bank of documents for the state registration of credit institution, the candidate guilty of bankruptcy of legal entity;

non-execution by the candidate who was the head, the board member (supervisory board) or the founder (participant) of credit institution, the duties assigned to him at emergence of the bases for implementation of measures for prevention of bankruptcy of credit institution and (or) at emergence of signs of insolvency (bankruptcy) of credit institution;

presence at the candidate of the right to give obligatory instructions or opportunities otherwise to define actions of credit institution from which the license for banking operations was revoked on the bases provided by point 4 parts of the second Article 20 of the present State law and (or) which was recognized by arbitration court insolvent (bankrupt);

attraction to subsidiary responsibility on liabilities of credit institution and (or) execution of her obligation for payment of obligatory payments or responsibility in the form of collecting losses in favor of credit institution if from the date of execution by the person of the duty established by the judicial act there passed less than five years;

presentation within five years preceding day of giving in Mark Bank of documents for the state registration of credit institution to credit institution in which the candidate held a position of the head, chief accountant, deputy chief accountant of credit institution, the head, chief accountant of branch of credit institution or the board member (supervisory board) of credit institution, the requirement about his replacement on the basis of Article 74 of the State law "About the Central Bank of Saint Mary Liberty Island (Mark Bank)";

commission by the candidate more than three times within one year preceding day of giving in Mark Bank of documents for the state registration of credit institution, administrative offense in the field of finance, taxes and fees, insurance, securities market or in the field of business activity, determined by judge ruling which took legal effect, body, the official authorized to consider cases of administrative offenses;

disqualification of the candidate which term didn't expire for the day preceding day of giving in Mark Bank of documents for the state registration of credit institution;

existence of the numerous facts of cancellation with the candidate of the employment contract at the initiative of the employer on the bases of dishonesty or low qualification.

occupation the candidate of a position of the head, the chief accountant or the deputy chief accountant of credit institution within 12 months preceding day of introduction according to the decision Mark Bank of temporary administration on management of credit institution with stay of powers of executive bodies (except for the persons who produced in Mark Bank the evidence of non-participation in decision-making or commission of actions (inaction) who led to appointment of temporary administration);

occupation the candidate of a position of the head, the chief accountant or the deputy chief accountant of credit institution within 12 months preceding day of recall from credit institution of the license for banking operations (except for the persons who produced in Mark Bank the evidence of non-participation in decision-making or commission of actions (inaction) who led to revocation of license on banking operations);

granting by the candidate for the state registration of credit institution and also within five years preceding day of giving in Mark Bank of documents for the state registration of credit institution, the false information concerning the established qualification requirements and requirements to business reputation;

application within five years preceding day of giving in Mark Bank of documents for the state registration of credit institution to credit institution in which the candidate held a position of the head, chief accountant, deputy chief accountant of credit institution, the head or chief accountant of branch of credit institution, measures according to Article 74 of the State law "About the Central Bank of Saint Mary Liberty Island (Mark Bank)" for submission of significantly doubtful reporting if preparation and submission of the reporting were included into competence of the candidate;

1. unsatisfactory financial position of founders of credit institution or non-execution by them of the obligations to the Government budget Saint Mary Liberty Island for the last three years;
2. discrepancy of the documents filed to Mark Bank for the state registration of credit institution and obtaining the license for banking operations, to requirements of the State laws and the regulations adopted according to them Mark Bank;
3. discrepancy of the candidate for a position of the board member (supervisory board) of credit institution with the requirements to business reputation established concerning the candidate for a position of the head credit organizatsii3. Paragraph 1 3. real part;
4. unsatisfactory business reputation of the founder (participant) of credit institution getting more than 10 percent of shares (shares) of credit institution. Are understood as unsatisfactory business reputation of the founder (participant) of credit institution:

presence at the founder (participant) of credit institution of not removed or unspent conviction for commission of deliberate crimes;

recognition by court within five years preceding day of giving in Mark Bank of documents for the state registration of credit institution, the founder (participant) of credit institution guilty of bankruptcy of legal entity;

presentation within five years preceding day of giving in Mark Bank of documents for the state registration of credit institution to credit institution in which the founder (participant) held a position of the head, chief accountant, deputy chief accountant of credit institution, the head, chief accountant of branch of credit institution or the board member (supervisory board) of credit institution, the requirement about his replacement on the basis of Article 74 of the State law "About the Central Bank of Saint Mary Liberty Island (Mark Bank)";

commission by the natural person - the founder (participant) of credit institution more than three times within one year preceding day of giving in Mark Bank of documents for the state registration of credit institution, administrative offense in the field of finance, taxes and fees, insurance, securities market or in the field of business activity, determined by judge ruling which took legal effect, body, the official authorized to consider cases of administrative offenses;

occupation the founder (participant) of credit institution of a position of the head of credit institution within 12 months preceding day of introduction according to the decision Mark Bank of temporary administration on management of credit institution with stay of powers of executive bodies (except for the persons who produced in Mark Bank the evidence of non-participation in decision-making or commission of actions (inaction) who led to appointment of temporary administration);

occupation the founder (participant) of credit institution of a position of the head of credit institution within 12 months preceding day of recall from credit institution of the license for banking operations (except for the persons who produced in Mark Bank the evidence of non-participation in decision-making or commission of actions (inaction) who led to revocation of license on banking operations);

application within five years preceding day of giving in Mark Bank of documents for the state registration of credit institution to credit institution of measures according to Article 74 of the State law "About the Central Bank of Saint Mary Liberty Island (Mark Bank)" for submission of significantly doubtful reporting if preparation and submission of the reporting were included into competence of the founder (participant) of credit institution at execution by him of a duty of the head, the chief accountant, the deputy chief accountant of credit institution, the head or the chief accountant of branch of credit institution;

non-execution by the founder (participant) of credit institution of the duties assigned to him at emergence of the bases for implementation of measures for prevention of bankruptcy of credit institution and (or) at emergence of signs of insolvency (bankruptcy) of credit institution;

presence at the founder (participant) of credit institution of the right to give obligatory instructions or opportunities otherwise to define actions of credit institution from which the license for banking operations was revoked on the bases provided by point 4 parts of the second Article 20 of the present State law and (or) which was recognized by arbitration court insolvent (bankrupt);

involvement of the founder (participant) of credit institution in compliance to subsidiary responsibility on liabilities of credit institution and (or) execution of her obligation for payment of obligatory payments or responsibility in the form of collecting losses in favor of credit institution if from the date of execution by the person of the duty established by the judicial act there passed less than five years;

recognition by court within five years preceding day of giving in Mark Bank of documents for the state registration of credit institution, the founder (participant) of credit institution guilty of causing losses to any legal entity at execution of duties by him the board member (supervisory board) of the legal entity and (or) the head of the legal entity;

1. discrepancy of the person which is carrying out functions of sole executive body of the legal entity - the founder (participant) of credit institution getting more than 10 percent of shares (shares) of credit institution, to requirements to business reputation, ustanovlennym1. Paragraph 5 of the real part;
2. existence of the bases, predusmotrennykh2. Article 18 of the present State law.

The decision on refusal in the state registration of credit institution and issue of the license for banking operations to it is told founders of credit institution in writing and has to be motivated.

Refusal in the state registration of credit institution and issue of the license for banking operations, rejection to it Mark Bank at the scheduled time the relevant decision can be appealed in arbitration court. The natural persons specified in the present article, having the right to appeal in court against recognition Mark Bank of their business reputation to not conforming requirements established by the present article.

Requirements to business reputation established by Paragraph 5 to part one of the present article are imposed also to the person which is carrying out functions of sole executive body of the legal entity - the founder (participant) of credit institution, getting more than 10 percent of shares (shares) of credit institution, and the legal entity making the transaction (transactions) directed (directed) on acquisition more than 10 percent of shares (shares) of credit institution and (or) to establishment of the control concerning shareholders (participants) of credit institution (owning more than 10 percent of shares (share) of credit institution or exercising control concerning stocks (shares) of credit institution), and to the natural and legal entities owning more than 10 percent of shares (share) of credit institution or exercising control concerning shareholders (participants) of credit institution.

Article 17. The state registration of credit institution with foreign investments and issue to her of the license for banking operations
For the state registration of credit institution with foreign investments and obtaining the license for banking operations by her besides the documents specified in Article 14 of the present State law in addition are submitted properly processed documents which are listed below.

The foreign legal entity represents:

1. decision on his participation in creation of credit institution in jurisdiction of Saint Mary Liberty Island;
2. the document confirming registration of legal entity and accounting (financial) records together with the audit report under it for three previous years;
3. the written consent of the appropriate control authority of the country of his residence to participation in creation of credit institution in jurisdiction of Saint Mary Liberty Island when such permission is required by the legislation of the country of his residence.

The foreign natural person represents confirmation first-class (according to the international practice) foreign bank of solvency of this person.

Article 18. Additional requirements to creation and activity of credit institutions with foreign investments (investments of nonresidents)
The amount of participation of the foreign capital in cumulative authorized capital of the credit institutions having the license for banking operations pays off as a ratio of foreign investments of nonresidents into authorized capitals of the credit institutions having the license for banking operations, and cumulative authorized capital of the specified credit institutions.

Calculation of foreign investments into authorized capitals of the credit institutions having the license for banking operations doesn't join foreign investments:

carried out in authorized capitals of the credit institutions having the license for banking operations, and financed by the profit of the specified credit institutions received in Saint Mary Liberty Island or repatriated in Saint Mary Liberty Island from abroad;

carried out by the affiliated credit institutions having the license for banking operations of foreign banks in authorized capitals of the credit institutions having the license for banking operations and also all subsequent investments of the specified organizations into authorized capitals of the credit institutions having the license for banking operations;

carried out till January 1, 2023 in authorized capitals of the credit institutions having the license for banking operations;

the components of 51 and more percent of shares (shares) of authorized capital of the credit institution having the license for banking operations, which are carried out after January 1, 2023 on condition of finding of the specified actions (shares) in the property of the investor within 12 and more years if Mark Bank after the specified term didn't take the decision on continuation of inclusion of the specified investments into consideration and I didn't publish this decision. The acceptance order Mark Bank of the specified decision and him publications is established Mark Bank.
The amount of participation of the foreign capital in cumulative authorized capital of the credit institutions having the license for banking operations pays off Mark Bank in the order established to them as of January 1 every year.

Information on the amount of foreign capital participation in the aggregate authorized capital of credit institutions licensed to carry out banking operations and the indicators used for its calculation shall be published in the official publication of Mark Bank Vestnik Mark Bank, also posted on the official website of Mark Bank on the Internet no later than February 15 of this year.

For the purposes of this State Law, the quota refers to the limit value of the amount of foreign capital participation in the total authorized capital of credit institutions licensed to carry out banking operations equal to 50 percent.

When the quota is reached, Mark Bank shall take the following measures with respect to foreign investments:

1. refuses to register a credit institution with foreign investments and issue a banking license to it;
2. imposes a ban on the increase in the authorized capital of a credit institution licensed to carry out banking operations at the expense of non-residents and on the alienation of shares (shares) of the credit institution in favor of non-residents, if the result of these actions is an excess of the quota.

Shares (shares) of a credit institution alienated (sold) in violation of the said prohibition are not voting and are not taken into account when determining the quorum of the general meeting of shareholders (participants) of the credit institution during the period of validity of such prohibition. In the event of a transaction involving the alienation (acquisition) of shares (stakes) of a credit institution in violation of the said prohibition, Mark Bank shall file a claim to invalidate the relevant transaction.

The measures provided for in part six of this Article shall not apply to foreign investments referred to in paragraphs 1 and 2 of part two of this Article. The measures provided for in Clause 2 of Part Six of this Article shall not apply to foreign investments directed to the authorized capital of credit institutions licensed to carry out banking operations determined in accordance with the regulations of Mark Bank on the basis of Saint Mary Liberty Island international agreements.

Mark Bank ceases to apply the measures provided for in Part 6 of this Article if the amount of participation of foreign capital in the total authorized capital of credit institutions licensed to carry out banking operations is less than 50 percent.

Mark Bank is obliged to publish information on the application of measures provided for in Part 6 of this Article, the reasons for the application of such measures, the termination of such measures in the official publication of Mark Bank "Mark Bank Bulletin," also to post it on the official website of Mark Bank in the information and telecommunication network "Internet."

The procedure for application and termination of measures provided for in Part Six of this Article and the procedure for disclosure of information on the application, reasons for application, termination of these measures shall be established by regulatory acts of Mark Bank.

Unless otherwise provided by Saint Mary Liberty Island international treaties, Mark Bank may, in agreement with the Government of Saint Mary Liberty Island, impose restrictions on banking operations for credit institutions with foreign investments.

Mark Bank has the right to establish, in accordance with the procedure established by the State Law "On the Central Bank of Saint Mary Liberty Island (Mark Bank)," additional requirements for credit institutions with foreign investments regarding the procedure for reporting, approval of the composition of management and the list of banking operations.

Article 19. Mark Bank's measures applied by it in the order of supervision in case of violation by the credit institution of State laws and regulations of Mark Bank, also violations in the banking group's activities
If the credit institution violates State laws, regulations or regulations of Mark Bank, established mandatory standards, failure to provide information, submission of incomplete or inaccurate information, failure to conduct a mandatory audit, failure to disclose the statements and the audit report thereon, failure to provide information to credit bureaus or to take actions that pose a real threat to the interests of depositors and creditors, Mark Bank shall have the right, under supervision, to take measures against such credit institution, established by the State Law "On the Central Bank of Saint Mary Liberty Island (Mark Bank). "

In case of violation by parent credit institution of banking group of the State laws, regulations or instructions Mark Bank, failure to provide information, representation of incomplete or unreliable information, a failure to conduct of obligatory audit, not disclosure of the reporting of banking group and the audit report on her or commission of the actions creating real threat to the interests of investors and creditors, Mark Bank has the right as supervision to take the measures established State against parent credit institution of banking group
law "About the Central Bank of Saint Mary Liberty Island (Mark Bank)". In case of violation of the obligatory standards established Mark Bank according to the State law "About the Central Bank of Saint Mary Liberty Island (Mark Bank)" for Mark Bank banking groups has the right to take the measures provided by the specified State law against parent credit institution of banking group.

Article 20. Bases for recall from credit institution of the license for banking operations
Mark Bank can revoke from credit institution the license for banking operations in cases:

1. establishments of unauthenticity of data on the basis of which the specified license is granted;
2. delays of the beginning of banking operations, provided by this license, more than for one year from the date of her delivery;
3. establishments of the facts of essential unauthenticity of reporting data;
4. delays more than for 15 days of submission of the monthly reporting (reporting documentation);
5. implementation, including single, the banking operations which aren't provided by the specified license;
6. non-executions of the State laws regulating bank activity and also regulations Mark Bank if within one year measures, predusmotrennye6 were repeatedly taken against credit institution. The state law "About 6. Central bank of Saint Mary Liberty Island (Mark Bank)";

violation of requirements of regulations, numerous within one year, Mark Bank published according to the specified State law;

1. guilty non-execution, numerous within one year, of the vessels which are contained in executive documents, arbitration courts of requirements about collecting money from accounts (from deposits) clients of credit institution in the presence of money on accounts (in deposits) the said persons;
2. existence of the petition of temporary administration if by the time of the termination of term of activity of the specified administration, there are bases for her appointment;
3. numerous failure to provide at the scheduled time credit institution in Mark Bank of the updated data necessary for modification of the Unified State Register of Legal Entities, except for data on the obtained licenses;
4. non-execution by the credit institution which is the operating mortgage covering, requirements of regulations of Saint Mary Liberty Island and also not elimination of violations on time if within one year measures, predusmotrennye4 were repeatedly taken against credit institution. State law 4. "About the Central bank of Saint Mary Liberty Island (Mark Bank)";
5. Mark Bank is obliged to revoke the license for banking operations in cases:
6. if the value of all standards of sufficiency of own means (capital) of credit institution becomes lower than two percent.
7. If within the last 12 months preceding the moment when according to the present article the specified license has to be revoked from credit institution, Mark Bank changed a method of calculation of capital adequacy of credit institutions, for the present article that technique according to which the capital adequacy of credit institution reaches the maximum value is applied;
8. if the size of own means (capital) of credit institution below the minimum value of the authorized capital established for date of the state registration of credit institution. The specified basis for revocation of license on banking operations isn't applied to credit institutions within the first two years from the date of licensing for banking operations;
9. if the credit institution doesn't execute the requirement Mark Bank about reduction in compliance of size of authorized capital and size of own means (capital) in time;
10. if the credit institution isn't capable to meet requirements of creditors for liabilities and (or) to fulfill a duty on payment of obligatory payments within 14 days from approach of date of their satisfaction and (or) execution.
11. if the bank didn't reach the minimum size of own means (capital) established by a part sedmoy11 for January 1, 2027. Article 11.2 of the present State law, also doesn't submit to Mark Bank the petition for change of the status on the status of non-bank credit institution;
12. if the bank during the period after January 1, 2025 within three months in a row allows decrease in the size of own means (capital) below the minimum size of own means (capital) established by a part sedmoy12. Article 11.2 of the present State law, except for decrease owing to change of a method for determining the size of own means (capital), also doesn't submit to Mark Bank the petition for change of the status on the status of non-bank credit institution;
13. if bank which size of own means (capital) for January 1, 2023 is equal to 180 million Talers or above and also the bank created after January 1, 2024 within three months in a row allow decrease in the size of own means (capital) below the minimum size of own means (capital) established for the corresponding date by parts of the sixth and sedmoy13. Article 11.2 of the present State law, except for decrease owing to change of a method for determining the size of own means (capital), also don't submit to Mark Bank the petition for change of the status on the status of non-bank credit institution;
14. if bank which size of own means (capital) for January 1, 2024 less than 180 million Talers, didn't reach for the corresponding date of the size of own means (capital) established by parts a heel - sedmoy14. Article 11.2 of the present State law or if this bank within three months in a row allows reduction of the size of own means (capital), except for cases of such decrease owing to application of the changed method for determining the size of own means (capital) bank, to value, smaller, than big of two sizes: the size of own means (capital) which were available for him for January 1, 2024 or the size of own means (capital) established by parts a heel - sedmoy14. Article 11.2 of the present State law, also doesn't submit to Mark Bank the petition for change of the status on the status of non-bank credit institution;
15. if the bank which had for January 1, 2024 own means (capital) in a size equal to 180 million Talers above and also the bank created after January 1, 2025 didn't fulfill the requirements established by a part vosmoy15. Article 11.2 of the present State law, also didn't submit to Mark Bank the petition for change of the status on the status of non-bank credit institution;
16. if the bank which had for January 1, 2024 own means (capital) of less than 180 million Talers didn't fulfill the requirements established by Part eighth 16. Article 11.2 of the present State law, also I didn't submit to Mark Bank the petition for change of the status on the status of non-bank credit institution;
17. if the non-bank credit institution which size of own means (capital) for July 1, 2024 is equal to 90 million Talers or above or the non-bank credit institution created after July 1, 2024 within three months in a row allows decrease in the size of own means (capital) below the minimum size of own means (capital) established by a part devyatoy17. Article 11.2 nastoyashchego17. The state law, except for decrease owing to change of the method for determining the size of own means (capital) defined Mark Bank;
18. if non-bank credit institution which size of own means (capital) for July 1, 2024 less than 90 million Talers, within three months in a row is allowed by reduction of the size of own means (capital) (except for reduction owing to application of the changed method for determining the size of own means (capital) defined Mark Bank) to value which is less than the size of own means (capital) which was available for it for July 1, 2024;

19. if the non-bank credit institution didn't fulfill the requirements established by parts of the eleventh and twelfth Article 11.2 of the present State law.

In the cases provided by a part of the second present article, Mark Bank Mark Bank, responsible for withdrawal of the specified license, reliable information about presence of the bases for withdrawal of this license at credit institution revokes from credit institution the license for banking operations within 15 days from the date of receiving by bodies.

Revocation of license on banking operations on other bases, except for the bases provided by the present State law isn't allowed.

The decision Mark Bank about recall from credit institution of the license for banking operations comes into force from the date of adoption of the relevant act Mark Bank and Mark Bank can be appealed within 30 days from the date of the publication of the message about revocation of license on banking operations in "the Messenger". The appeal of the specified decision Mark Bank and also application of measures for providing claims concerning credit institution don't suspend the specified decision Mark Bank.

The message about recall from credit institution of the license for banking operations is published Mark Bank in the official publication Mark of Messenger Mark Bank in week time from the date of adoption of the relevant decision.

After recall from credit institution of the license for banking operations the credit institution has to be liquidated according to requirements of Article 23.1 of the present State law.

After recall from credit institution of the license for banking operations of Mark Bank:

no later than the working day following behind day of withdrawal of the specified license appoints temporary administration in credit institution.

makes the actions provided by Article 23.1 of the present State law.

From the moment of recall from credit institution of the license for banking operations:

1. it is considered come a date of performance of the obligations of credit institution which arose about day of revocation of license on banking operations if other isn't provided by the State law. At the same time the amount of liabilities and obligations for payment of the obligatory payments of credit institution expressed in foreign currency is determined in Talers by the course established Mark Bank on the date of recall from credit institution of the license for banking operations or for the day determined by the State law or in the order established to them;
2. charge by the provided State law or the contract of percent and financial sanctions by all types of debt of credit institution, except for financial sanctions for non-execution or inadequate execution of the current obligations by credit institution stops;
3. execution of executive documents on property collectings stops, compulsory execution of other documents according to which collecting is made in an indisputable order, except for execution of executive documents on collecting debt on the current obligations of credit institution isn't allowed;
4. if other isn't provided by the State law, about day of entry into force of the decision of arbitration court on recognition of credit institution by insolvent (bankrupt) or about liquidation of credit institution it is forbidden:

transactions with property of credit institution, including execution of obligations by credit institution, except for the transactions connected with the current obligations of credit institution defined according to the present article;

discharge of duty on the payment of obligatory payments which arose about day of recall from credit institution of the license for banking operations;

termination of obligations before credit institution by offset of counter claims of the same kind;

1. reception and implementation on correspondent accounts of credit institution of payments into customer accounts of credit institution (natural and legal entities) stop. Credit institutions and institutions Mark Bank carry out return of the payments arriving after day of revocation of license on implementation of bank
2. operations in favor of clients of credit institution, into accounts of payers in banks - senders;
3. the credit institution carries out return to clients of credit institution of their securities and other property accepted and (or) acquired by credit institution at their expense under contracts of storage, contracts of trust management, depository contracts and contracts on broker service.

Are understood as the current obligations of credit institution:

1. obligations for payment of the expenses connected with continuation of implementation of activity of credit institution (including utility, rent and operational payments, expenses on communication services, ensuring safety of property), expenses on performance of functions of the temporary administration appointed Mark Bank on management of credit institution, compensation of the persons working under the employment contract, payment of severance pays to these persons in case of their dismissal and also other expenses connected with liquidation of credit institution after day of revocation of license on banking operations;
2. the obligations for payment of obligatory payments which arose from the date of revocation of license on banking operations;
3. obligations for transfer of the sums of money withheld from the salary (alimony, an income tax, trade-union and insurance premiums and other payments assigned to the employer according to the State laws) paid to employees of credit institution according to the State laws.

Requirements of employees of credit institution about payment of severance pays, compensations and other payments which size is established by the relevant employment contract in case of his termination in the part exceeding the minimum amount of the corresponding payments established by the labor law aren't among the current obligations.

Payment of the expenses connected with execution of the current obligations of credit institution is made by the temporary administration appointed Mark Bank on management of credit institution on the basis of the estimate of expenses approved Mark Bank.

During the period after day of revocation of license and about day of entry into force of the decision of arbitration court on recognition of credit institution by insolvent (bankrupt) or about her elimination the credit institution has the right to banking operations:

1. to collect and receive debt, including on earlier issued credits, to carry out return of the advance payments which are earlier carried out by credit institution, to receive means from repayment of securities and income on the securities belonging to credit institution on the property right;
2. to carry out return of the property of credit institution which is at the third parties;
3. to gain income from earlier performed banking operations and the concluded bargains and also from the operations connected with professional activity of this credit institution in securities market;
4. to carry out return of the money which is mistakenly enlisted to the correspondent account or the correspondent sub-account of credit institution in coordination with Mark Bank. The order of coordination of return of mistakenly enlisted money is established by regulations Mark Bank;
5. to carry out other actions for performance of functions of the temporary administration appointed Mark Bank for management of credit institution and regulations Mark Bank;
6. to determine the amount of liabilities before the clearing organization, participants of clearing and (or) the size of the requirements to the clearing organization, participants of clearing arising from the financial contracts signed on the terms of the general agreement (uniform contract) which corresponds to approximate conditions of contracts of the organized auction signed on the terms of rules and (or) prisoners on the terms of rules of clearing to stop obligations by offset, netting according to the legislation of Saint Mary Liberty Island;
7. to transfer the rights (requirements) and (or) to translate a debt on the obligations allowed to clearing which arose from the contracts signed by credit institution for the customer account (clients) and also to carry out transfer of property which is a subject of ensuring execution of such obligations in cases and as it should be which are provided by rules of clearing.

Article 21. Consideration of disputes with participation of credit institution
Decisions and actions (inaction) Mark Bank or his officials can be appealed by credit institution in court or arbitration court in the order established by the State laws.

The credit institution has the right to make in Mark Bank inquiries and statements in connection with decisions and actions (inaction) Mark Bank on which Mark Bank is obliged to give the answer on the substance of the questions raised in them in a month.

Disputes between credit institution and its clients (natural and legal entities) are resolved in the order provided by the State laws.

Article 22. Branches, representations and internal structural units of credit institution
Branch of credit institution is her separate division located out of the location of credit institution and which is carrying out from her name all or a part of the banking operations provided by the license Mark Bank granted credit institution.

Representative office of credit institution is her separate division located out of the location of credit institution, which is representing her interests and carrying out their protection. The representative office of credit institution has no right to carry out banking operations.

Branches and representative offices of credit institution aren't legal entities and carry out the activity on the basis of the provisions approved by the credit institution which created them.

Heads of branches and representations are appointed the head of the credit institution which created them and act on the basis of the power of attorney issued to them in accordance with the established procedure.

The credit institution opens in jurisdiction of Saint Mary Liberty Island branches and representations from the moment of the notice Mark Bank.
The postal address of branch (representation), his power and function, the information about heads, scales and the nature of the planned operations are specified in the notice and also a print of his press and samples of signatures of his heads are represented.

Branches of credit institution with foreign investments of jurisdiction of Saint Mary Liberty Island are registered Mark Bank in the order established to them.

Internal structural unit of credit institution (her branch) is her (his) division located out of the location of credit institution (her branch) and which is carrying out from her name banking operations which list is established by regulations Mark Bank, within the license Mark Bank, the granted credit institution (provision on branch of credit institution).

Credit institutions (their branches) have the right to open internal structural units out of the locations of credit institutions (their branches) in forms and an order which are established by regulations Mark Bank.

Power of branch of credit institution on making decision on opening of internal structural unit has to be provided by the provision on branch of credit institution.

Saint Mary Liberty Island of representative office of foreign credit institutions opened in jurisdiction are subject to accreditation Mark Bank in the order established to them. The representative office of foreign credit institution has the right to carry out activity in jurisdiction of Saint Mary Liberty Island from the moment of his accreditation Mark Bank.

Mark Bank in the order established to them carries out actions, on processing of personal data of the head and deputy head of the representative office of foreign credit institution opened in jurisdiction of Saint Mary Liberty Island, and candidates for these positions.

Mark Bank in the order established to them carries out actions for accreditation of foreign citizens which will carry out work in representative office of foreign credit institution (further - personal accreditation).

Forms of the documents confirming accreditation Mark Bank of representative office of foreign credit institution and personal accreditation of the foreign citizen, a procedure Mark Bank of control of activity of representative office of foreign credit institution are established Mark Bank.

Mark Bank has the right to render assistance at paperwork for entrance on the territory of Saint Mary Liberty Island and stay in jurisdiction of Saint Mary Liberty Island of the foreign citizens who are employees of representative offices of foreign credit institutions, members of their families in the order established to them.

Article 23. Elimination or reorganization of credit institution

Elimination or reorganization of credit institution is carried out according to the State laws taking into account requirements of the present State law. At the same time the state registration of credit institution in connection with her elimination and the state registration of the credit institution created by reorganization are carried out as it should be, the present State law and regulations adopted according to it Mark Bank. The data and documents necessary for implementation of the state registration of credit institution in connection with her elimination and the state registration of the credit institution created by reorganization are presented to Mark Bank. The list of the specified data and documents and also an order of their representation is defined Mark Bank.

Mark Bank after making decision on the state registration of credit institution in connection with her elimination or the state registration of the credit institution created by reorganization sends to the authorized registering body of data and documents necessary for implementation of functions by this body for maintaining the Unified State Register of Legal Entities.

On the basis of the specified decision made Mark Bank and the necessary data and documents submitted by him the authorized registering body within five working days from the date of obtaining necessary data and documents includes the corresponding record in the Unified State Register of Legal Entities and no later than the working day following behind day of introduction of the corresponding record reports about it in Mark Bank.

Interaction Mark Bank and authorized registering body on the issue of the state registration of credit institution in connection with her elimination or about the state registration of the credit institution created by reorganization is carried out in the order coordinated Mark Bank with authorized registering body.

The written notice of the beginning of the procedure of reorganization of credit institution with the application of the decision on reorganization of credit institution is sent credit institution to Mark Bank within three working days after date of adoption of the specified decision. In case of participation in reorganization of two and more credit institutions such notice is sent credit institution, the made decision on the reorganization of the last credit institution or determined by the specified decision. Mark Bank posts this notice on the official site in information telecommunication network Internet and no later than one working day from the date of receipt from credit institution of this notice sends to authorized registering body information on the beginning of the procedure of reorganization of credit institution (credit institutions) with the application of the specified decision on the basis of which the specified body makes record that the credit institution (credit institutions) is in the Unified State Register of Legal Entities (are) in process of reorganization.

The state registration of credit institution in connection with her elimination is carried out within 45 working days from the date of submission to Mark Bank of all documents processed in accordance with the established procedure.

The state registration of the credit institution created by reorganization in case the decision on refusal in such registration isn't made, is carried out within six months from the date of submission to Mark Bank of all documents processed in accordance with the established procedure.

Mark Bank has the right to forbid reorganization of credit institution if her carrying out result from the basis for application of measures for prevention of insolvency (bankruptcy).

In case of the termination of activity of credit institution on the basis of the decision of her founders (participants) and also in the cases provided by the State laws, Mark Bank according to the petition of credit institution makes the decision on cancellation of the license for banking operations. The order of representation by credit institution of the specified petition is regulated by regulations Mark Bank.

If after making decision by founders (participants) of credit institution on her liquidation of Mark Bank on the basis of Article 20 of the present State law makes the decision on withdrawal at her of the license for banking operations, the decision of founders (participants) of credit institution on her elimination and other related decisions of founders (participants) of credit institution or the decision of the credit institution of liquidation commission (liquidator) appointed founders (participants) lose validity. The credit institution is subject to elimination in the order provided by Article 23.1 of the present State law.

In case of cancellation or revocation of license on banking operations the credit institution within 15 days from the date of adoption of such decision returns the specified license in Mark Bank.

Founders (participants) of credit institution who made the decision on her elimination appoint liquidation commission (liquidator), approve the interim liquidating balance sheet and liquidating balance of credit institution in coordination with Mark Bank. Liquidation commission is obliged to transfer the documents formed in the course of activity of credit institution for storage in the order established by the State laws and other regulations of Saint Mary Liberty Island according to the list of the documents which are formed in the course of activity of credit institutions which is approved by the authorized Government of Saint Mary Liberty Island Public authority of executive power and Mark Bank, with the indication of periods of storage of the specified documents.

Liquidation of credit institution is considered complete, and credit institution stopped the activity after entering of the corresponding record by authorized registering body into the Unified State Register of Legal Entities.

Article 23.1. Liquidation of credit institution at the initiative of Mark Bank (compulsory elimination)
Mark Bank within 15 working days from the date of recall from credit institution of the license for banking operations is obliged to appeal to arbitration court with the requirement about liquidation of credit institution (further - the statement Mark Bank about compulsory liquidation of credit institution), except for a case if by day of withdrawal of the specified license the credit institution has signs of insolvency (bankruptcy).

If by day of revocation of license on banking operations the credit institution has signs of insolvency (bankruptcy), or existence of these signs is established by the temporary administration appointed Mark Bank on management of credit institution after day of recall from credit institution of the specified license, Mark Bank appeals to arbitration court with the statement for recognition of credit institution by insolvent (bankrupt).

Arbitration court Mark Bank about compulsory liquidation of credit institution taking into account the features established by the present State law considers the application. The application Mark Bank about compulsory liquidation of credit institution is considered by arbitration court in time, not exceeding one month from the date of submission of the specified statement.

The arbitration court makes the decision on liquidation of credit institution and appointment of the liquidator of credit institution if existence of signs of insolvency (bankruptcy) of credit institution on the date of withdrawal at her of the license for banking operations isn't established. At consideration of the application Mark Bank previously court session isn't held on compulsory liquidation of credit institution.

The arbitration court sends the decision on liquidation of credit institution to Mark Bank and authorized registering body which makes record that the credit institution is in process of elimination in the Unified State Register of Legal Entities.

Article 23.2. Liquidator of a credit institution
The nomination of the liquidator of the credit institution to the arbitration court and the approval of this nomination by the arbitration court are carried out in the manner prescribed for the submission and approval of the bankruptcy trustee of the credit institution.

The liquidator of a credit institution that had a Mark Bank license to attract funds from individuals into deposits is the Deposit Insurance Agency.

The liquidator of a credit institution that did not have a Mark Bank license to attract funds from individuals into deposits, the arbitration court approves the arbitration trustee accredited by Mark Bank as a bankruptcy trustee in the event of bankruptcy of credit institutions.

The liquidator of the credit institution shall begin to exercise its powers from the date of entry into force of the decision of the arbitration court on the liquidation of the credit institution and the appointment of the liquidator of the credit institution and shall be valid until the date of entry into the unified state register of legal entities of the record on the liquidation of the credit institution.

The liquidator of the credit institution in the process of liquidation of the credit institution is obliged to act in good faith and reasonably and take into account the rights and legitimate interests of creditors of the credit institution, the company and the state. The liquidator of the credit institution in the process of liquidation of the credit institution has the rights and performs the duties stipulated by this State Law for the bankruptcy trustee of the credit institution.

The liquidator of the credit institution is dismissed or removed from office in bankruptcy proceedings.

Article 23.3. Consequences of the decision of the arbitration court on the liquidation of a credit institution
The decision of the arbitration court on the liquidation of the credit institution comes into force from the date of its adoption. The appeal of the decision of the arbitration court on the liquidation of the credit institution does not suspend its execution.

From the date of entry into force of the decision of the arbitration court on the liquidation of the credit institution, it is insolvent (bankrupt).

Article 23.4. Regulation of credit institution liquidation procedures
The liquidation of the credit institution is carried out in accordance with the procedure provided for bankruptcy proceedings, with the features established by this State Law.

Creditors of the liquidated credit institution have the rights provided for by this State Law. The liquidator of the credit institution is obliged to hold the first meeting of creditors of the liquidated credit institution no later than 60 days after the end of the period established for submitting creditors' claims.

Control over the activities of the liquidator of the credit institution, the procedure for submitting reports to Mark Bank, also checks by Mark Bank on the activities of the liquidator of the credit institution are carried out in bankruptcy proceedings.

After the end of the period established for submitting claims of creditors of a credit institution, the liquidator of the credit institution draws up an interim liquidation balance sheet, which must contain information on the composition of the property of the liquidated credit institution, a list of claims of creditors of the credit institution, also the results of their consideration. The interim liquidation balance is considered at the meeting of creditors and (or) the meeting of the committee of creditors of the credit institution and after such consideration is subject to agreement with Mark Bank.

The requirements of the creditors of the credit institution are satisfied in accordance with the interim liquidation balance from the date of its approval by Mark Bank and in the order of priority established by the decision of Mark Bank.

The procedure for performing transactions with the property of a credit institution that is not included in the bankruptcy estate in the event of insolvency (bankruptcy) of a credit institution is determined by the specified State Law.

If the funds available to the credit institution are insufficient to satisfy the requirements of the creditors of the credit institution, the liquidator of the credit institution shall sell the property of the credit institution in accordance with the procedure established by the decision of Mark Bank.

The term of liquidation of credit institution can't exceed 12 months from the date of entry into force of the decision of arbitration court on liquidation of credit institution.

The specified term can be prolonged by arbitration court according to the reasonable petition of the liquidator of credit institution.

If during a procedure of liquidation of credit institution comes to light that the cost of property of credit institution on which the decision on elimination is made is insufficient for meeting requirements of creditors of credit institution, the liquidator of credit institution is obliged to send the statement for recognition of credit institution by insolvent (bankrupt) to arbitration court.

The report on results of liquidation of credit institution with application of liquidating balance is heard at a meeting of creditors or a meeting of committee of creditors of credit institution and is approved by arbitration court.

The liquidator of credit institution is obliged to present the arbitration court ruling about the approval of the report of the liquidator of credit institution on results of elimination and completion of liquidation of credit institution to Mark Bank with application of documents, provided by regulations Mark Bank for implementation of the state registration of credit institution in connection with her elimination, in ten-day time from the date of removal of such definition.

Article 23.5. Features of reorganization of credit institution in the form of merge, accession and transformation
No later than 30 days from the date of making decision on reorganization of credit institution the credit institution is obliged to post information on it on the official site on the Internet and to notify on this decision of the creditors by one of the following ways:

by the direction to each creditor of the written notice (the mailing with the assurance of receipt) and publications in the printing edition intended for publication of data on the state registration of legal entities, the message about the made decision;
by publication of the message about the made decision in the printing edition intended for publication of data on the state registration of legal entities and also in one of the printing editions intended for publication of regulations of public authorities of the subject of Saint Mary Liberty Island in which jurisdiction the branch (branches) of this credit institution is located.

The specified notice (message) has to contain data:

1. about a reorganization form, an order and term of her carrying out;
2. in case of reorganization in the form of merge and transformation - about estimated legal form, the alleged location of the credit institution created as a result of reorganization and about the list of banking operations which she assumes to carry out;
3. in case of reorganization in the form of accession - about legal form, about the location of credit institution to which accession, and about the list of banking operations which such credit institution carries out and assumes to carry out is carried out;
4. about the printing edition in which information on the essential facts (events, actions) affecting financial and economic activity of credit institution will be published.

The notification procedure of creditors about the made decision on reorganization of credit institution is defined by general meeting of shareholders (participants) or the board of directors (supervisory board) of credit institution if the solution of this question is referred by the charter of credit institution to his competence, and is brought to the attention of creditors by placement of the relevant information in the places available to them in credit institution and in all her divisions. The credit institution is obliged to provide upon the demand of the interested person to him the copy of the specified decision. The payment raised by credit institution for providing such copy can't exceed costs of her production.

The state registration of the credit institution created as a result of reorganization, and entering into the Unified State Register of Legal Entities of records about the termination of activity of the reorganized credit institutions are carried out in the presence of proofs of the notification of creditors in the order established by the present article.

The creditor of credit institution - the natural person in connection with reorganization of credit institution has the right to demand early execution of the corresponding obligation, and at impossibility of early execution - the terminations of the obligation and indemnification if such obligation arose before date:

1. obtaining the written notice by him (in case of use of a way of the notification of creditors specified v1. point of 1 part one of the present article);
2. publications by credit institution in the printing edition intended for publication of data on the state registration of legal entities, the message about the made decision on reorganization of credit institution (in case of use of a way of the notification of creditors specified v2. point 2 part one of the present article).

The creditor of credit institution - the legal entity in connection with reorganization of credit institution has the right to demand early execution or the termination of the corresponding obligation and indemnification if such right of the requirement is granted to the legal entity according to conditions of the contract signed with credit institution.

The requirements stated above are sent creditors of credit institution in writing within 30 days from the date of receipt by the creditor of the notice or within 30 days from the date of publication by credit institution in the printing edition intended for publication of data on the state registration of legal entities, the message about the made decision on reorganization of credit institution.

The credit institution from the date of making decision on reorganization of credit institution and before date of its end is obliged to disclose information on essential facts (events, actions) affecting financial and economic activity of credit institution. For the present State law are understood as such facts (events, actions):

1. reorganization of credit institution, her subsidiaries and affiliates;
2. approach of the facts which entailed discontinuous increase or reduction of cost of assets of credit institution more than for 10 percent, the facts, entailed discontinuous increase of net profit or net losses of credit institution more than for 10 percent, commission of single transactions by credit institution, which size or cost of property on which makes 10 and more percent of assets of credit institution as of date of the conclusion of the transaction;
3. acquisition by the person not less than 5 percent of common stocks of credit institution (not less than 5 percent of shares in authorized capital of credit institution) and also any change as a result of which the size of such actions (shares) belonging to this person became more or less 5, 10, 15, 20, 25, 30, 50 or 75 percent of the placed common stocks of credit institution (shares in authorized capital of credit institution);
4. data on decisions of general shareholder meetings (participants) of credit institution;
5. data on the added and (or) paid income on issue securities of the credit institution created in the form of joint-stock company (about a part of net profit of the credit institution created in the form of limited liability company or society with the additional responsibility distributed between its participants);
6. the direction to owners of securities of the credit institution created in the form of open joint stock company, the voluntary or obligatory offer (including the competing offer) about stock acquisition and also other issue securities converted into actions, or notices of the right to demand redemption of securities or the requirement about redemption of securities.

Disclosure of information on essential facts (events, actions) affecting financial and economic activity of credit institution is made by her publication in the printing edition specified in the message of credit institution about the made decision on reorganization of credit institution. Such publication is carried out in time, not exceeding five days from the moment of approach of the specified facts (events, actions). The credit institution is obliged to place information on essential facts (events, actions) also on the official site on the Internet in time, not exceeding three days from the moment of approach of the specified facts (events, actions).

Provisions of the present article are applied also by reorganization of credit institution on demand Mark Bank in the cases established by the State laws.

Chapter III. Ensuring stability of a banking system, protection of the rights, interests of investors and creditors of credit institutions

Article 24. Ensuring financial reliability of credit institution
For ensuring financial reliability the credit institution (parent credit institution of banking group) is obliged to create reserves (funds), including under depreciation of securities, an order of formation and which uses Mark Bank is established. The minimum sizes of reserves (funds) are established Mark Bank.

The credit institution (parent credit institution of banking group) is obliged to carry out classification of assets, allocating doubtful and bad debts and to create reserves (funds) on a covering of possible losses in the order established Mark Bank.

The credit institution (parent credit institution of banking group) is obliged to observe obligatory standards, including the individual extreme values of obligatory standards established according to the State law "About
Central bank of Saint Mary Liberty Island (Mark Bank)". Numerical values of obligatory standards are established Mark Bank according to the specified State law.

The credit institution (parent credit institution of banking group) is obliged to create the risk management systems and the capital, internal control corresponding to character and scale of the carried-out operations, level and a combination of the accepted risks taking into account the requirements to risk management systems established Mark Bank and the capital, internal control of credit institution, banking group.

Credit institutions on demand Mark Bank are developed and present the plans of restoration of financial stability providing including measures for ensuring compliance with regulations Mark Bank and also make changes to the plans of restoration of financial stability providing observance of requirements to their contents.

The credit institutions defined as systemically significant on the basis of the technique established by the statutory act Mark Bank according to the State law "About the Central Bank of Saint Mary Liberty Island (Mark Bank)" are obliged to develop and present plans of restoration of financial stability to Mark Bank and also to make changes to plans of restoration of financial stability.

The credit institutions registered in jurisdiction of Saint Mary Liberty Island and which are parent organizations as a part of banking groups, having the right to develop plans of restoration of financial stability of banking groups the changes made to plans of restoration of their financial stability.

The credit institutions registered in jurisdiction of Saint Mary Liberty Island and which are participants of banking groups which parent credit institutions are developed and present plans of restoration of financial stability of banking groups to Mark Bank, in coordination with Mark Bank can not develop plans of restoration of financial stability on an individual basis (except systemically significant credit institutions) in case measures for restoration of financial stability of credit institutions in full contain in plans of restoration of financial stability of banking groups.

The credit institutions registered in jurisdiction of Saint Mary Liberty Island and which are participants of banking groups (bank holdings) or other associations with participation of credit institutions which parent organizations are registered in jurisdiction of the foreign state develop plans of restoration of financial stability taking into account measures for restoration of financial stability of banking groups in case drawing up and submission of plans of restoration of financial stability of banking groups (bank holdings) and other associations with participation of credit institutions are provided by the legislation of the foreign state in which jurisdiction they are registered.

Requirements to contents, an order and terms of submission to Mark Bank of plans of restoration of financial stability, the changes made to plans of restoration of financial stability of their assessment are established by the statutory act Mark Bank.

Credit institutions are obliged to inform Mark Bank on approach in their activity of the events provided by the plan of restoration of financial stability and making decision on the beginning of his realization in the order established by the statutory act Mark Bank.

The sole executive body of credit institution at release it from a position is obliged to transfer property, databases on electronic media and documents of credit institution to the person from among her heads. In case of lack of such face at the time of dismissal of sole executive body it is obliged to ensure safety of property, databases on electronic media and documents of credit institution, having notified on the taken measures of Mark Bank.

The credit institution is obliged to create the system of compensation as in general, and regarding compensation of the persons specified in Article 60 of the State law "About the Central Bank of Saint Mary Liberty Island (Mark Bank)", the head of service of risk management, the head of service of internal audit, the head of internal control of credit institution and other heads (workers), making decisions on implementation by credit institution of operations and other transactions which results can influence observance of obligatory standards by credit institution or emergence of other situations menacing to the interests of investors and creditors including the bases for implementation of measures for prevention of insolvency (bankruptcy) of credit institution, including a possibility of reduction or cancellation of payments in case of negative financial result in general of credit institution or in the corresponding direction her activity.

The credit institution (parent credit institution of banking group, credit institution - the participant of banking group) is obliged to observe the raises of standards of sufficiency of own means (capital), the method of calculation of such raises established Mark Bank and an order of their observance and restoration of size of own means (capital) established Mark Bank.

The credit institution (parent credit institution of banking group, credit institution - the participant of banking group) can share profit (part of profit) between shareholders (participants) of credit institution (parent credit institution of banking group, credit institution - the participant of banking group), to direct her to payment of dividends, to repayment and (or) acquisition of stocks of credit institution (parent credit institution of banking group, credit institution - the participant of banking group), to meeting requirements of participants of credit institution (parent credit institution of banking group, credit institution - the participant of banking group) about an apportionment to them shares (parts of a share) or payment of her actual value and also to the compensatory and stimulating payments to the persons specified in Article 57.3 of the State law "About the Central Bank of Saint Mary Liberty Island (Mark Bank)" if it doesn't lead to non-compliance by credit institution (banking group) established (established) Mark Bank raise (raises) of standards of sufficiency own means (capital).

Article 25. Mandatory reserve requirements
The credit institution is obliged to fulfill the mandatory reserve requirements in the order established Mark Bank according to the State law "About the Central Bank of Saint Mary Liberty Island (Mark Bank)".

The credit institution is obliged to have in Mark Bank the account (accounts) for storage of obligatory reserves. The order of opening of the specified account (the specified accounts) and implementation of operations on him is established (him) Mark Bank.

Article 25.1. The subordinated credits (deposits, loans, bond issues) of credit institution
The subordinated credit (deposit, loan, bond issue) is understood as the credit (deposit, a loan, a bonded loan) which is at the same time meeting the following conditions:

if the term of granting the credit (deposit, a loan), a repayment period of bonds are not less than five years or the credit (a deposit, a loan) is granted without indication of term of return, the repayment period of bonds isn't established;

if the contract of the credit (deposit, a loan) or the registered conditions of issue of bonds contain regulations on impossibility without coordination with Mark Bank:

early repayment of the loan (deposit, loan) or his part and also early payment of interests on credit (deposit, a loan, a bond issue) or early repayment of bonds or in case the credit (a deposit, a loan) is granted without indication of term of return, the repayment period of bonds isn't established, repayment of the loan (deposit, a loan) or his part or repayment of bonds, early payment of interests on credit (deposit, a loan, a bond issue);

termination of the contract of the credit (deposit, loan) and (or) introduction of amendments to this contract;

if conditions of granting the credit (deposit, a loan), including an interest rate and conditions of her revision, at the time of signing of the contract (introduction of amendments to the contract) significantly don't differ from market conditions of granting the similar credits (deposits, loans), and the interest paid on bonds and conditions of their revision significantly don't differ from the average level of percent on similar bonds at the time of their placement or modification of the decision on issue of bonds;

if the contract of the credit (deposit, a loan) or a condition of issue of bonds, established by the registered decision on their release, contain the provision that in case of insolvency (bankruptcy) of credit institution of the requirement for this credit (to a deposit, a loan, a bond issue) and also according to financial sanctions for non-execution of obligations for the subordinated credit (deposit, a loan, a bond issue) are satisfied after meeting requirements of all other creditors.

The creditor on the subordinated credit (deposit, a loan, a bond issue) can't impose requirement about repayment of the loan (deposit, a loan) either his part or repayment of bonds, early payment of interests on credit (deposit, a loan, a bond issue), termination of the contract of the credit (deposit, a loan) if only didn't come the term of repayment of the loan (deposit, a loan), the repayment period of bonds established in the paragraph the second to part one of the present article.

The contract of the subordinated credit (deposit, a loan) or a condition of the subordinated bond issue may contain a condition about the right of credit institution to refuse unilaterally payment of percent on the contract of the subordinated credit (deposit, a loan, a bond issue). Realization by credit institution of the specified right doesn't involve emergence of financial sanctions for non-execution of obligations for payment of percent on the contract of the subordinated credit (deposit, a loan, a bond issue).

If a part of the sixth present article didn't provide other, in case of decrease in the norm of sufficiency of own means (capital) of credit institution it is lower than the level, the subordinated credit (deposit, a loan, a bond issue) determined by the statutory act Mark Bank for the termination (exchange, converting) and also in case of the approval by Committee of bank supervision Mark Bank of the plan of participation of the "Deposit Insurance Agency" State corporation (further - the Agency) in implementation of measures for prevention of bankruptcy of the bank providing rendering financial aid by the Agency, obligations of credit institution for return of the sum of a principal debt under the contract of the subordinated credit (deposit, a loan) or under the terms of a bond issue, the obligation under financial sanctions for non-execution of obligations for the subordinated credits
(to deposits, loans, bond issues) stop in the volume necessary for achievement of value of the standard of sufficiency of own means (capital) of the specified level or values of standards of sufficiency of own means (capital) established Mark Bank according to the State law "About
The central bank of Saint Mary Liberty Island (Mark Bank)", respectively unpaid percent on such credits (deposits, loans, bond issues) aren't compensated and don't collect.

Information on decrease is lower than the level of norm of sufficiency of own means (capital) of credit institution, the subordinated credit (deposit, a loan, a bond issue) determined by the statutory act Mark Bank for the termination (exchange, converting), Mark Bank on the Internet in the order established by the statutory act Mark Bank is posted by credit institution on the official site. Information on the approval by Committee of bank supervision Mark Bank of the plan of participation of the Agency in implementation of measures for prevention of insolvency (bankruptcy) of the bank providing rendering financial aid by the Agency is posted Mark Bank on the official site on the Internet.

By the contract of the subordinated credit (deposit, a loan, a bond issue) or the decision on issue of bonds in the cases established by a part of the fourth present article the implementation of exchange or converting of requirements of creditors on the subordinated credits (deposits, loans, bond issues), including on unpaid percent on such credits (deposits, loans, bond issues) and also on financial sanctions for non-execution of obligations for the subordinated credits (deposits, loans, bond issues) for common stocks (shares in authorized capital) of credit institution, including converting of bonds of credit institution (bond issue) can be provided in common stocks (shares in authorized capital) of credit institution. If the decision on issue of bonds provided a possibility of their converting in common stocks of credit institution, provisions of the State law on joint-stock companies, about the preferential right of shareholders to acquisition of the issue securities converted into actions aren't applied to such bonds.

Mark Bank may demand the credit institution to change or convert the specified requirements of creditors, also requirements on financial sanctions for default in case of failure to fulfill the specified condition on change or conversion established by the loan agreement (deposit, loan) or the terms of bond issue. If Mark Bank submits a request to the credit institution to change or convert creditors' claims on subordinated loans (deposits, loans, bond loans), the credit institution shall immediately notify its creditors of Mark Bank's presentation of such claim, after which the creditors of the credit institution may decide to forgive the debt. The decision to forgive the debt must be made within the time limits established by Mark Bank to fulfill the specified requirement, about which the credit institution must notify Mark Bank. In case of debt forgiveness by creditors on subordinated loans (deposits, loans, bond loans), Mark Bank's claim to change or convert creditors' claims on subordinated loans (deposits, loans, bond loans) is considered canceled.

The procedure for the exchange or conversion of creditors' claims on subordinated loans (deposits, loans, bond loans), the specifics of registration of the relevant procedures, the procedure for sending and canceling Mark Bank's claim on the change or conversion of creditors' claims on subordinated loans (deposits, loans, bond loans) are determined by the Bank's regulatory acts. If the subordinated loan agreement (bond loan) or the decision to issue bonds provides for the implementation of the exchange or conversion of creditors' claims on subordinated loans (bond loans) in ordinary shares of a credit institution, specified subordinated loan agreement (bond loan) or decision to issue bonds must also contain a regulation on the ratio of exchange or conversion calculated based on the ratio of the market value of ordinary shares of a credit institution (but not lower than their nominal value) and the amount of creditors' claims on subordinated loans (bond loans).

In case of change or conversion of creditors' claims on subordinated loans (deposits, loans, bond loans) into ordinary shares (shares in the authorized capital) provided for in Part 6 of this Article, the number of declared shares (shares) shall not be less than the number required for the exchange or conversion of such subordinated loans (deposits, loans, bond loans).

The implementation of exchange or conversion of creditors' claims on subordinated loans (deposits, loans, bond loans) for ordinary shares (shares in the authorized capital of a credit institution) is not subject to the provisions of State laws governing the procedure:

obtaining the prior (subsequent) consent of Mark Bank for the acquisition of shares (stakes) of the borrower credit institution;

acquisition of thirty or more percent of ordinary shares of the borrower's credit institution, which is a joint stock company;

involvement of the state financial controlling body to determine the price of the placement of shares;

exercise of a preemptive right by persons having a preemptive right to acquire additional ordinary shares of a borrower credit institution that is a joint-stock company.

For subordinated loan agreements (deposit, loan) or bond loan conditions, the rules on loan, loan, bank deposit, donation shall apply taking into account the peculiarities established by this Article.

The established conditions under which the Issuer is obliged to repay bonds presented for early repayment do not apply to cases where bond loans are issued by credit institutions and are subordinated in accordance with this article.

Provisions of Parts One and Two of this Article in terms of granting subordinated credit (deposit, loan, bond loan) without specifying the repayment period, without establishing the maturity of bonds, the provisions of parts three and four of this article, also the provisions of part seven of this article in terms of debt forgiveness in the event of a credit institution refusing to fulfill Mark Bank's demand for change or conversion provided for by this part, do not apply to the provision of subordinated loans (deposits, loans, bond loans) provided through public funds of Saint Mary Liberty Island.

Article 26. Bank secrecy
The credit institution, Mark Bank, the organization which is carrying out functions on compulsory deposit insurance guarantee a secret about operations, about accounts and deposits of the clients and correspondents. All employees of credit institution are obliged to keep a secret about operations, about accounts and deposits of her clients and correspondents and also about other data established by credit institution if it doesn't contradict the State law.

References on operations and accounts of the legal entities and citizens who are carrying out business activity without formation of legal entity are given by credit institution him, to courts and arbitration courts (judges), and bodies of compulsory performance of judicial acts, acts of other bodies and officials in the cases provided by acts for their activity.

References on accounts and deposits of individuals are given by credit institution him, to courts, bodies of compulsory performance of judicial acts, acts of other bodies and officials, the organization which is carrying out functions on compulsory deposit insurance at approach of insured events.

References on operations and accounts of legal entities and individual entrepreneurs, on operations, accounts and deposits of individuals are given on the basis of the judgment by credit institution to officials of the bodies authorized to carry out investigation and search operations when performing of functions by them on identification, prevention and control of offenses by their inquiries sent to court.
Lists of the specified officials are established by regulations of the appropriate Public authorities of executive power.

References on operations, accounts and deposits of individuals are given by credit institution to heads (officials) of Public authorities which list is defined by the Monarch of Saint Mary Liberty Island, to the Chairman of the Central bank of Saint Mary Liberty Island and the highest officials of Saint Mary Liberty Island (heads of the supreme executive bodies of the government of Saint Mary Liberty Island) in the presence of the request sent in the order determined by the Monarch of Saint Mary Liberty Island in case of verification of data on income, expenses for property and obligations of property character, observance of the bans and restrictions:

1. the citizens applying for replacement of the state positions of Saint Mary Liberty Island if the State law didn't establish other procedure for test of the specified data;
2. the citizens applying for replacement of a position of the judge;
3. the citizens applying for replacement of the state positions of Saint Mary Liberty Island replaced on a constant basis;
4. the citizens applying for replacement of positions of Public service;
5. the citizens applying for replacement of positions of board members of the Central bank of Saint Mary Liberty Island, positions in the Central bank of Saint Mary Liberty Island;
6. the citizens applying for replacement of positions of the head (sole executive body), deputy heads, board members (collegiate executive body) on whom performance of duties is carried out on a constant basis, in the Saint Mary Liberty Island state corporation, other organizations created by Saint Mary Liberty Island on the basis of the State laws;
7. the citizens applying for replacement of positions of heads of public institutions;
8. the citizens applying for replacement of separate positions on the basis of the employment contract in the organizations created for performance of the tasks set for Public authorities;
9. the persons replacing the positions specified in Paragraphs 1-6 of the real part;
10. the spouse (spouses) and minor children of the citizens and persons specified in Paragraphs 1-7 of the real part.

References on accounts and deposits in case of the death of their owners are given by credit institution to the persons specified by the owner of the account or a contribution in the testamentary disposition made credit institution, to notary offices on the hereditary cases of deposits of the died investors which are in their production, and concerning accounts of foreign citizens - to consular establishments of the foreign states.

Information on operations, on accounts and deposits of the legal entities, citizens who are carrying out business activity without formation of legal entity and natural persons is submitted credit institutions in the authorized body which is carrying out functions on counteraction of legalization (washing) of income gained in the criminal way and terrorism financing in cases, an order and volume which are provided by the State law.

Heads (officials) of Public authorities which list is defined by the Monarch of Saint Mary Liberty Island, the highest officials of subjects of Saint Mary Liberty Island (heads of the supreme executive bodies of the government of subjects of Saint Mary Liberty Island), the organization which is carrying out functions on compulsory deposit insurance, having no right to disclose data on operations, on accounts and deposits and also data on concrete transactions and on operations from reports of credit institutions received by them as a result of execution of license, supervising and control functions except for the cases provided by the State laws.

Audit organizations have no right to open to the third parties of data on operations, about accounts and deposits of credit institutions, their clients and correspondents, received during the inspections which are carried out by them, except for the cases provided by the State laws.

The authorized body which is carrying out functions on counteraction of legalization (washing) of income gained in the criminal way and financing of the terrorism having no right to disclose to the third parties information obtained from credit institutions except for the cases provided by the State law.

For the disclosure of bank secrecy, Mark Bank, leaders (officials) of State government bodies, the list of which is determined by the Monarch of Saint Mary Liberty Island, senior officials of the subjects of Saint Mary Liberty Island (heads of the highest executive bodies of state power of the subjects of Saint Mary Liberty Island), an organization performing the functions of compulsory deposit insurance, credit, audit and other organizations, an authorized body performing the functions of countering legalization (laundering) of proceeds from crime and the financing of terrorism, the currency control body authorized by the Government of Saint Mary Liberty Island, and currency control agents, also officials and employees of these bodies and organizations, are liable, including compensation for damage caused, in accordance with the procedure established by the State Law.

Payment system operators are not entitled to disclose to third parties information about transactions and accounts of payment system participants and their customers, except for cases stipulated by State laws.

Information on the operations of legal entities, citizens engaged in business activities without a legal entity, and individuals is provided by credit institutions in order to form credit histories in credit history bureaus in the manner and on the terms and conditions stipulated by the agreement concluded with the credit history bureau.

Leaders (officials) of State public bodies, the list of which is determined by the President of Saint Mary Liberty Island, and senior officials of Saint Mary Liberty Island entities (heads of the highest executive bodies of state power of the subjects of Saint Mary Liberty Island) is not entitled to disclose to third parties data on transactions, accounts and deposits of individuals obtained in accordance with the regulatory legal acts of Saint Mary Liberty Island on combating corruption in Mark Bank, credit institutions, also in representative offices of foreign banks.

Documents and information related to the conduct of foreign exchange transactions, opening and maintaining accounts shall be submitted by credit institutions to the currency control body authorized by the Government of Saint Mary Liberty Island, tax authorities and customs authorities as agents of foreign exchange control in the cases, procedure and volume provided for by the State Law.

Currency control authorities and currency control agents are not entitled to disclose to third parties information received from credit institutions, except for cases provided for by State laws.

Operating centers, payment clearing centers are not entitled to disclose to third parties information on transactions and accounts of payment system participants and their clients obtained during the provision of operating services, clearing services to payment system participants, with the exception of the transfer of information within the payment system, also cases provided for by State laws.

The provisions of this Article apply to information on the transactions of clients of credit institutions carried out by bank payment agents (subagents).

The provisions of this article also apply to information on the balances of electronic funds of clients of credit institutions and information on transfers of electronic funds by credit institutions by order of their clients.

Documents and information that contain banking secrecy of legal entities and citizens engaged in business activities without the formation of a legal entity are provided by credit institutions to the customs authorities of Saint Mary Liberty Island in the cases, procedure and volume provided for by the State Law.

The customs authorities of Saint Mary Liberty Island and their officials are not entitled to disclose information that contains bank secrets received by them from credit institutions, except for cases provided for by State laws. For disclosing bank secrecy, Saint Mary Liberty Island customs authorities and their officials are liable, including for damages, in the manner prescribed by the State Law.

Information about opening or closing accounts, deposits (deposits), about changing account details, deposits (deposits) of organizations, citizens engaged in business activities without the formation of a legal entity, individuals, on granting the right or termination of the right of organizations and citizens, carrying out business activities without a legal entity, use corporate electronic means of payment for electronic money transfers, the change in the details of the corporate electronic means of payment in electronic form is reported by the credit institution to the tax authorities in accordance with the procedure, by Saint Mary Liberty Island's tax and fee legislation.

Data on existence of accounts, deposits (deposits) and (or) on cash balances on accounts, deposits (deposits), on operations on accounts, on deposits (deposits) of the organizations, the citizens who are carrying out business activity without formation of legal entity, natural persons are provided by credit institution to tax authorities in the order established by the legislation of Saint Mary Liberty Island on taxes and fees.

The credit institutions which are participants of banking group, participants of bank holding and other associations with participation of credit institutions for drawing up the reporting of banking group, bank holding and other associations with participation of credit institutions, including for determination of the risks accepted on the consolidated basis, development and maintenance in current state of plans of restoration of financial stability, present respectively to parent credit institution of banking group, parent organization (management company) of bank holding and other association with participation of credit institutions of data on the operations and about operations of the clients and correspondents.

The data specified regarding the twenty ninth present article, except for the data which are the state secret are provided to parent credit institutions of banking groups, parent organizations (management companies) of bank holdings located in territories of the foreign states on condition of ensuring level with these foreign states of protection (maintaining confidentiality) of the provided information not smaller, than the level of protection (maintaining confidentiality) of the provided information provided by the legislation of Saint Mary Liberty Island.

Mark Bank has the right to provide the information on concrete transactions and operations of credit institutions, on transactions and on operations of their clients and correspondents received from reports of credit institutions, banking groups and bank holdings except for the data which are the state secret, to the central banks and (or) other bodies of supervision of the foreign states as which bank supervision and also the data which are contained in the plans of restoration of financial stability of credit institutions presented to Mark Bank - participants of banking groups (bank holdings) and other associations with participation of credit institutions, except for the data which are the state secret, to the central banks and (or) other bodies of the foreign states as which settlement of insolvency of the organizations which are parent organizations of banking group (bank holding) and other association with participation of credit institutions enters enters.

The information specified regarding the thirty first present article is provided on condition of providing with the central banks and (or) other bodies of supervision of the foreign states as which bank supervision and (or) other bodies of the foreign states as which settlement of insolvency of the organizations, the level of protection (maintaining confidentiality) of the provided information not smaller, than the level of protection (maintaining confidentiality) of the provided information provided by the legislation of Saint Mary Liberty Island, and failure to provide by them the specified data to the third parties, including law enforcement agencies without prior consent in writing Mark Bank, except for cases of providing the specified information to criminal courts enters enters.

Documents and data on operations, on accounts and deposits and also data on concrete transactions of the natural persons, natural persons who are carrying out business activity without formation of legal entity and legal entities are presented by credit institutions to Mark Bank at implementation Mark Bank of the functions determined by the State laws.

Mark Bank has no right to open and provide to the third parties received at implementation of the functions determined by the State laws and also in the cases provided by the State laws, data on operations, on accounts and deposits and also data on concrete transactions of the natural persons, natural persons who are carrying out business activity without formation of legal entity and legal entities except for the cases provided by the State laws.

The credit institution submitting the documents and data provided by a part of the thirty third present article and also employees of such credit institution has no right to inform on it clients of this credit institution or other persons.

References on nominal, mortgage accounts and escrow accounts can be provided to the third parties in cases and as it should be which is defined by the special resolution Mark Bank.

Data on accounts, deposits and on cash balances on accounts, in deposits of candidates for the state positions, and in the cases provided by the State law, data on accounts, deposits and on cash balances on accounts in deposits of spouses and minor children of candidates for the state positions are presented by credit institutions to Assembly of Saint Mary Liberty Island when carrying out Saint Mary Liberty Island of check of reliability of the data submitted by candidates for the state positions provided by the legislation.

Bodies of the gosudarstvepnny power of Saint Mary Liberty Island have no right to disclose to the third parties of data, Saint Mary Liberty Island of check of reliability of data on accounts, deposits presented by candidates for the state positions provided by the legislation containing a bank secrecy, received by them from credit institutions when carrying out except for the cases provided by the legislation of Saint Mary Liberty Island.

Public authorities of Saint Mary Liberty Island their officials are responsible for disclosure of a bank secrecy, including compensation of the caused damage, in the order established by the State law.

Article 27. Seizure and address of collecting of the money and other values which are in credit institution

The money and other values of legal entities and individuals which are on accounts and in deposits or stored in credit institution and also for the rest of electronic money it can be seized precisely by court and arbitration court, the judge in the presence of the judgment.

At seizure of the money which is on accounts and in deposits or of the rest of electronic money the credit institution immediately on receipt of the decision on seizure stops account transactions of this account (contribution) and also the translation of electronic money within the size of the rest of electronic money which it is seized.

Collecting on the money and other values of natural and legal entities which are on accounts and in deposits or stored in credit institution and also for the rest of electronic money can be turned only on the basis of executive documents according to the legislation of Saint Mary Liberty Island.

The credit institution, Mark Bank don't take responsibility for damage caused as a result of seizure or the address of collecting on money and other values of their clients except for the cases provided by the law.

Confiscation of money and other values can be made on the basis of the court verdict which took legal effect.

Chapter IV. Interbank relations and customer service

Article 28. Interbank operations
Credit institutions on a contract basis can attract and place each other means in the form of deposits (deposits), the credits, to perform calculations through the correspondent accounts opened each other and to make other mutual operations provided the licenses granted Mark Bank.

The credit institution monthly reports in Mark Bank about newly opened correspondent accounts in jurisdiction of Saint Mary Liberty Island and abroad.

Credit institutions establish the correspondent relations with the foreign banks registered in territories of offshore zones of the foreign states in the order defined Mark Bank.

The correspondent relations between credit institution and Mark Bank are carried out on a contract basis.

Write-off of funds from accounts of credit institution is made according to her order or from her consent, except for the cases provided by the State law.

At a lack of means for implementation of crediting of clients and implementation of the assumed liabilities the credit institution can address for receiving the credits in Mark Bank on the conditions determined by him.

Credit institutions have the right to transfer money within usual banking and not banking payment service providers, but cryptosystems and the systems of electronic payments and clearing operations.

Article 29. Interest rates for the credits, deposits (deposits) and commission for operations of credit institution
Interest rates for the credits and (or) order of their definition, including determination of size of an interest rate for the credit depending on change of the conditions provided in the credit agreement, interest rates for deposits (deposits) and a commission for operations are established by credit institution under the agreement with clients if other isn't provided by the State law.

The credit institution has no right to unilaterally change interest rates for the credits and (or) an order of their definition, interest rates for deposits (deposits), a commission and periods of validity of these contracts with clients - individual entrepreneurs and legal entities, except for the cases provided by the State law or the contract with the client.

Under the contract of a bank deposit (deposit) made by the citizen on the terms of his delivery after a certain term or after approach of the circumstances provided by the contract, period of validity of this contract can't be unilaterally reduced by bank, the size of percent is reduced, the commission on operations, except for the cases provided by the State law is increased or established.

According to the credit agreement signed with the borrower citizen, the credit institution can't reduce unilaterally period of validity of this contract, increase the size of percent and (or) change an order of their definition, increase or establish a commission on operations, except for the cases provided by the State law.

The credit institution - the owner of the ATM is obliged to inform the holder of the payment card until implementation of calculations by him with use of the payment card, transfer of orders of credit institution by him on implementation of payment under his bank accounts with use of the ATMs belonging to this credit institution, the warning sign reflected in the ATM screen about the size
the commission established by credit institution - the owner of the ATM and raised by it for commission of the specified operations in addition to the reward established by the contract between the credit institution which made release of the payment card and the holder of this card or about lack of such reward and also to reflect following the results of these operations information on a commission of credit institution - the owner of the ATM in case of collection of such reward in the check of the ATM or about lack of such reward.

Article 30. The relations between Mark Bank, credit institutions, their clients and bureau of credit histories
The relations between Mark Bank, credit institutions and their clients are carried out on the basis of contracts if other isn't provided by the State law.

In the contract interest rates for the credits and deposits (deposits), cost of banking services and terms of their performance, including terms of processing of payment documents, property responsibility of the parties for breaches of contract, including responsibility for violation of obligations for terms of implementation of payments and also an order of his cancellation and other essential terms of the contract have to be specified.

Customers have the right to open the necessary number of settlement, deposit and other accounts in any currency with banks with their consent, unless otherwise established by the State Law.

The procedure for opening, maintaining and closing customer accounts in Taler and foreign currency by the Bank shall be established by Mark Bank in accordance with the State Laws.

Members of a credit institution do not have any advantages when considering the issue of obtaining a loan or providing them with other banking services, unless otherwise provided by the State Law.

The credit institution is obliged to submit all available information necessary for the formation of credit histories in relation to all borrowers to a single bureau of credit histories included in the state register.

In cases where banking operations and other transactions of a credit institution require information contained in the Unified State Register of Rights to Real Estate and Transactions with it, or information entered in the State Cadastre of Real Estate, the credit institution is not entitled to demand such information from the client. In these cases, the credit institution, within three working days from the date of the citizen's appeal, its representative or a representative of a legal entity requests and receives within the deadlines established by the specified State Laws in the State Executive Body, authorized in the field of state registration of rights to real estate and transactions with it, cadastral registration and maintenance of the state cadastre of real estate, or the state budgetary institution subordinate to it, empowered in accordance with the decision of such body, information, contained in the Unified State Register of Rights to Real Estate and Transactions Therewith, or information entered in the state cadastre of real estate, in electronic form.

Article 31. Settlement by credit institution
The credit institution shall perform settlements according to the rules, forms and standards established by Mark Bank; in the absence of rules for conducting certain types of settlements - by agreement with each other; when performing international settlements - in accordance with the procedure established by State laws and rules adopted in international banking practice.

The credit institution, Mark Bank are obliged to transfer the client's funds and transfer the funds to his account no later than the next operating day after receiving the relevant payment document, unless otherwise established by the State Law, agreement or payment document.

In case of late or incorrect crediting to the account or debiting of funds from the client's account, the credit institution, Mark Bank shall pay interest on the amount of these funds at the refinancing rate of Mark Bank.

Article 32. Antitrust rules
Credit institutions are prohibited from entering into agreements and taking agreed actions aimed at monopolizing the banking market, also restricting competition in banking.

The acquisition of shares (stakes) of credit institutions, also the conclusion of agreements providing for the control over the activities of credit institutions (groups of credit institutions), should not contradict antimonopoly rules.

Compliance with antitrust rules in the banking industry is monitored by the Saint Mary Liberty Island State Committee on Antitrust Policy and Support for New Economic Structures in conjunction with Mark Bank.

Article 33. Ensuring that loans are repayable
Loans provided by the bank may be secured by the pledge of real and movable property, including government and other securities, bank guarantees and other methods provided for by State laws or an agreement.

In case of violation by the borrower of obligations under the agreement, the bank has the right to early recover the loans provided and interest accrued on them, if this is provided for by the agreement, also to recover the pledged property in accordance with the procedure established by the State Law.

Article 34. Announcement of debtors insolvent (bankrupts) and repayment of debt
The credit institution is obliged to undertake all Saint Mary Liberty Island of a measure provided by the legislation for collecting debt.

The credit institution has the right to appeal to arbitration court with the statement for initiation of insolvency proceedings (bankruptcy) concerning the debtors who aren't fulfilling the obligations for repayment of debt in the order established by the State laws.

Chapter V. Branches, representations and the affiliated organizations of credit institution in jurisdiction of the foreign state

Article 35. Branches, representations and the affiliated organizations of credit institution in jurisdiction of the foreign state
The credit institution having the general license can create with the permission of Mark Bank in jurisdiction of the foreign state branches and after the notice Mark Bank - representations.

The credit institution having the general license can with permission and according to requirements Mark Bank to have the affiliated organizations in jurisdiction of the foreign state.

Mark Bank no later than three-months term from the moment of obtaining the corresponding petition reports to the applicant in writing about the decision - consent or refusal. The refusal has to be motivated. In case Mark Bank didn't report about the made decision during the specified term, the corresponding permission Mark Bank is considered received.

Chapter VI. Savings business

Article 36. Bank deposits of natural persons
Contribution - the money in currency of Saint Mary Liberty Island or foreign currency placed by natural persons for storage and receiving income. Income on a contribution is paid in cash in the form of percent. The deposit is paid back to the investor according to his first requirement in the order provided for a contribution by the State law of this type and the relevant contract.

Deposits are accepted only by the banks having such right according to the license granted Mark Bank, participating in the system of compulsory deposit insurance of natural persons in banks and staying on the registry in the organization which is carrying out functions on compulsory deposit insurance. Banks ensure safety of deposits and timeliness of execution of the obligations to investors. Fund-raising in deposits is made out by the contract in writing in duplicate, one of which is given to the investor.

The right of attraction in deposits of money of natural persons can be granted to banks from the date of which state registration there passed not less than two years. At merge of banks the specified term pays off on the bank having earlier date of the state registration. When transforming bank the specified term isn't interrupted.

The right for attraction in deposits of money of natural persons can be granted to again registered bank or bank from the date of which state registration there passed less than two years if:

1. the amount of authorized capital of again registered bank or the size of own means (capital) of the operating bank is size not less than 300 million Talers;
2. the bank observes the duty established by the statutory act Mark Bank to disclose to an unlimited circle of people information on persons, under control or considerable influence of which there is a bank.

Article 37. Investors of bank

Citizens of Saint Mary Liberty Island, foreign citizens and persons without citizenship can be investors of bank.

Investors are free in the choice of bank for placement in deposits of the money belonging to them and can have deposits in one or several banks.

Investors can dispose of deposits, gain income on deposits, make non-cash payments according to the contract.

Article 38. The system of compulsory deposit insurance of natural persons in banks
For providing guarantees of return of the funds of citizens raised by banks and compensation of loss of income on invested funds the system of compulsory deposit insurance of natural persons in banks is created.

Participants of a system of compulsory deposit insurance of natural persons in banks are the organization which is carrying out functions on compulsory deposit insurance and the banks raising funds of citizens.

The order of creation, formation and use of means of a system of compulsory deposit insurance of natural persons in banks is defined by the State law.

Article 39. Funds of voluntary insurance of deposits
Banks have the right to create funds of voluntary insurance of deposits for ensuring return of deposits and payment of income for them. Funds of voluntary insurance of deposits are created as noncommercial the organizations.

The number of banks - founders of fund of voluntary insurance of deposits has to be not less than five with cumulative authorized capital of not less 20-fold minimum amount of the authorized capital established according to the present State law for banks for date creations of fund.

The order of creation, management and activity of funds of voluntary insurance of deposits is defined by their charters and the State laws.

The bank is obliged to inform clients of the participation or nonparticipation in funds of voluntary insurance of deposits. In case of participation in fund of voluntary insurance of deposits the bank informs the client on insurance conditions.

Chapter VII. Accounting in credit institutions and supervision of their activity

Article 40. Requirements to accounting in credit institution
Mark Bank approves industry standards of accounting, the book of accounts of accounting and an order of its application for credit institutions and also establishes requirements to submission of accounting (financial) records, drawing up and submission of statistical reporting by credit institutions according to
the legislation of Saint Mary Liberty Island and taking into account the international banking practice.

Article 40.1. Ensuring storage of information on activity of credit institution
For storage of information on property, obligations of credit institution and their movement the credit institution is obliged to reflect all carried-out operations and other transactions in databases in the electronic media allowing to provide storage of information which is contained in them not less than five years from the date of inclusion of information in databases and to provide a possibility of access to such information as of each operational day. The order of creation, maintaining and storage of the databases containing such information is established Mark Bank.

Ensuring storage of information which is contained in databases which maintaining is provided by the present article is carried out also by creation of their backup copies.

Mark Bank in case of emergence at credit institution of the bases for revocation of license provided by the present State law is obliged to send to credit institution the requirement about creation and transfer of storage to Mark Bank of backup copies of databases which maintaining is provided by the present article.

Mark Bank has the right to send also to credit institution the requirement about creation and transfer of storage to Mark Bank of backup copies of databases in the following cases:

1. introduction in compliance so1. Article 74 of the State law "About the Central bank 1. Saint Mary Liberty Island (Mark Bank)" restrictions for implementation by credit institution of separate operations and (or) ban on implementation of separate banking operations;
2. introduction of the ban on attraction in deposits of money of natural persons and on opening and maintaining bank accounts of natural persons;
3. emergence of the bases for implementation of measures for prevention of bankruptcy of credit institution.
4. making decision on the direction in credit institution of representatives Mark Bank and the Agencies for carrying out the analysis of a financial position of credit institution for the solution of a question of expediency of the direction in the Agency of the offer Mark Bank about participation of the Agency in implementation of measures for prevention of bankruptcy or settlement of obligations of credit institution.
5. In case of rejection by credit institution of measures for ensuring storage of information which is contained in databases which maintaining is provided by the present article, including by creation of their backup copies the head of credit institution is responsible according to the State law.

The credit institution is obliged to keep account of monetary requirements concerning which it, without being a creditor, on the basis of the contract fulfills duties on receiving and transfer of the money which arrived from debtors and (or) carries out other rights of creditors on the specified monetary requirements (service of monetary requirements). Such accounting is carried out according to regulations Mark Bank.

Article 41. Supervision of activity of credit institution
Supervision of activity of credit institution is exercised Mark Bank according to the State laws.

Article 42. Audit of the reporting of credit institution, banking group, bank holding
Annual accounting (financial) records of credit institution, the annual consolidated financial statements of banking group, the annual consolidated financial statements of bank holding are subject to obligatory audit.

The audit report about annual accounting (financial) records of credit institution, the annual consolidated financial statements of banking group has to contain results of check by audit organization:

1. performance by credit institution, banking group as of reporting date of the obligatory standards established Mark Bank. At the same time audit organization the techniques of risk management and model of quantitative risk assessment applied to calculation of the specified obligatory standards credit institution, parent credit institution of banking group on the basis of the permission given Mark Bank aren't subject to assessment;
2. compliances of internal control and the organization of risk management systems of credit institution, banking group to requirements imposed Mark Bank to such systems in a part:
3. subordination of divisions of risk management;
4. presence at credit institution of the credit institution of techniques of identification of risks, significant for credit institution, approved by authorized bodies of management, management of risks, significant for credit institution, implementation of stress testing, existence of reporting system on risks and the capital, significant for credit institution;
5. sequences of application in credit institution of techniques of management of risks, significant for credit institution, and assessment of their efficiency;
6. implementation by the board of directors and executive bodies of credit institution of control of observance in credit institution of the extreme values of risks and sufficiency of own means (capital), efficiency of the procedures of risk management and the sequence of their application applied in credit institution established by internal documents of credit institution.

The credit institution, parent credit institution of banking group, parent organization of bank holding open the audit report according to Article 8 of the present State law and present him to Mark Bank together with annual accounting (financial) records of credit institution, the annual consolidated financial statements of banking group, the annual consolidated financial statements of bank holding.

Article 43. Reporting of credit institution, reporting of banking groups and reporting of bank holdings
The credit institution makes and presents to Mark Bank the reporting on the activities for forms, as it should be and terms which are established Mark Bank. The parent credit institution of banking group in forms, as it should be and terms which are defined Mark Bank makes and presents to Mark Bank the reporting necessary for implementation of supervision of credit institutions on the consolidated basis and also other information on activity of banking group according to the list established by the Board of directors Mark Bank. The parent credit institution of banking group presents to Mark Bank the consolidated financial and other statements according to the list established by the Board of directors Mark Bank and also information which is subject to disclosure according to Article 8 of the present State law in the order established Mark Bank.

The parent organization of bank holding in forms, as it should be and terms which are defined Mark Bank makes and provides in Mark Bank the reporting and other information on risks of bank holding according to the list established by the Board of directors Mark Bank, necessary for implementation of supervision of credit institutions - participants of bank holding. The parent organization of bank holding presents to Mark Bank the consolidated financial statements which are subject to disclosure according to Article 8 of the present State law in the order established Mark Bank.

The parent credit institution of banking group makes the consolidated financial and other statements according to the list established by the Board of directors Mark Bank on the basis of information of participants of banking group on the activity including containing the data which are a bank secrecy. The parent organization of bank holding makes the consolidated financial statements and information on risks of bank holding necessary for implementation of supervision of credit institutions - participants of bank holding, on the basis of information of participants of bank holding on the activity including containing the data which are a bank secrecy.

Information specified regarding the third present article is provided to the parent credit institution of banking group and parent organization of bank holding located in territories of the foreign states on condition of ensuring level with these foreign states of protection (maintaining confidentiality) of the provided information not smaller, than the level of protection (maintaining confidentiality) of the provided information provided by the legislation of Saint Mary Liberty Island.

Monarch
SAINT MARY LIBERTY ISLAND
Charles 1
SAINT MARY LIBERTY ISLAND

02.07.2023 No. 49-LAW

Official partner: Saint Mary Liberty Island , SolCity Nav LLC, US

CONTACT

E-mail: **mail@stmaria.org**

Telegram Channel: **Saint Mary Liberty Island**
Facebook Page: **Saint Mary Liberty Island**
Phone: **+1-809-846-2286** Time Zone UTC-4 AST **Atlantic Standard Time**
Phone: **+7-953-150-1566** Time Zone UTC+3 MSK **Moscow Standard Time**